United Nations

Press Release

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FRENCH FOREIGN MINISTRY OFFICIAL ADDRESSES HUMAN RIGHTS COMMISSION

Debate Continues on Violations of Human Rights World-Wide

GENEVA, 21 February (UN Information Service) -- A Vice-Minister for Foreign Affairs of France, Edwige Avice, told the Commission on Human Rights this afternoon that the war in the Gulf was a war between international law and the politics of force.

Philippe Texier, an independent expert, introduced his report on the human rights situation in Haiti (document E/CN.4/1991/33 and Add.1). He said that despite the results of the recent democratic elections in that country, the situation remained delicate, as evidenced by the attempted coup d'état of 7 January 1991 by a former chief of "the Tonton Macoutes". The Government and the judicial authorities had still not taken effective measures to investigate past and present violations of human rights and to bring the guilty to justice. The situation as regards respect for economic, social and cultural rights was still very disturbing; only the stability of a democratically elected president could open the way to a correction of that situation. He recommended that the Commission continue to monitor the human rights situation in Haiti, with a view to encouraging the improvements observed so far.

During this afternoon's meeting, the Commission continued to consider the question of human rights violations in any part of the world. Under this item, the Committee is examining, among others, the question of human rights in Cyprus and the human rights situation in occupied Kuwait.

Participating in the debate were representatives of Haiti, Colombia, Cyprus, Argentina, Yugoslavia, Madagascar, Zambia, Cuba, Ghana, Lebanon, Romania, Nigeria, Poland, Pakistan, Iraq, Qatar and Algeria. Also, the following non-governmental organizations spoke: the Four Directions Council Liberation, Liberation, the Liberal International Human Rights Committee and the Inter-African Union of Lawyers.

Zaire and Iraq exercised the right of reply.

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Statement by Vice-Minister for Foreign Affairs of France

EDWIGE AVICE, Vice-Minister for Foreign Affairs of France, said the war in the Gulf was "a war of international law against the politics of force" and asked whether defence of the right of self-determination of a people should lead to armed conflict. France said "yes", she answered. The Iraqi aggression had been accompanied by human rights violations of exceptional gravity in occupied Kuwait. France was also concerned about the human rights situation in Liberia, Somalia and the Israeli-occupied territories, she said. The positive changes in Albania and Eastern and Central Europe were welcome. Regarding Romania, France was conscious of the greatness of the task to be undertaken.

Her country, she recalled, had condemned the use of force in Vilnius and Riga, and hoped that the three Baltic states would recover a status in conformity with the aspirations of their peoples. In Latin America, Paraguay and Chile were turning to democracy and respect for human rights. Those improvements were welcomed, as were those which were to be seen in southern Africa. France looked forward to the total eradication of apartheid.

The Minister added that France could not remain indifferent before the human rights problems faced by its partners in the developing world. In helping the poor countries, France was helping them on the road to democratization. The silence surrounding violations of human rights, however, must be broken; non-governmental organizations and the media were invaluable in that respect. However, merely taking note of violations was insufficient. Concrete proposals and their immediate implementation were required.

Regarding the Convention on the Rights of the Child, Ms. Avice called on all States which had not done so to ratify it immediately. She welcomed the 1993 Conference on Human Rights and hoped that it would be both useful and imaginative and not fall prey to a "sterile polemic".

Statements in Debate

ALEX POMPEE (Haiti) pointed out that his country was in the midst of a transition to democracy. The provisional Government had approved various measures designed to promote human rights. A provisional electoral council had been mandated by the Constitution of 1987. The former Minister of Interior had escaped justice, and there had been a failed coup d'état in January. Within the Haitian armed forces, provisions had been made to protect those involved in promoting the elections. On 16 December 1990, a President was elected. Haiti intended to ratify human rights instruments. The new situation in the country was proof that the procedure established by Economic and Social resolution 1503 worked and needed to be continued.

MIGUEL SUCUQUI MEJIA, of the Four Directions Council, said the new Constitution of Guatemala was to be welcomed, even though daily human rights violations failed to match the spirit of the legal text. Only four days ago, two members of the Council had been summarily executed by members of the armed forces. There had been a continuation of gross human rights violation despite

recent elections. The military still held the power and was above the law. As a result, the population was seriously demoralized. Summary executions had left 4,000 victims, and silence surrounded other massacres perpetrated by the armed forces. Thousands of Guatemalans had been displaced and were harassed by the army. The Government had no political will to participate in that system, they were subordinated to the armed forces and administrative corruption was still rampant.

PAULINO GAMA, of Liberation, introducing himself as a former Timorese army commander of a brigade which fought against the Indonesian army, said the Indonesian occupying army was committing atrocities in Timor. Indonesia had continued to violate human rights and the number of Timorese executed, disappeared and imprisoned had increased. The Commission should urge the Indonesian Government to stop the genocide of the Timorese and to release all the political prisoners held in 80 prisons around East Timor and Indonesia.

JORGE ORLANDO MELO (Colombia) declared that the newly drafted Constitution of Colombia was aimed at ensuring the fundamental rights of Colombians. That document also provided remedies to all sorts of violence perpetrated either by the military or by subversive groups. Constitutional reform had also taken into account the rights of the indigenous population. The other important aspect of the Constitution was its encouragement of the restoration of peace through harmonious political integration. In the recent parliamentary elections, the M.19 Movement had won 30 per cent of the votes. The Government had also maintained a policy of negotiation and dialogue in all spheres. A new jurisdiction would make the fight against drug traffickers and subversive groups more effective. The new laws had also given new attributes to local ombudsmen in matters of arrests, arbitrary detentions and torture.

VANIAS MARKIDES (Cyprus) said the invasion of Cyprus by Turkey in 1974 constituted a grave breach of international law and a violation of human rights. Since then, there had been a virtually impermeable military line, which artificially divided Cyprus in two, separating the island's majority Greek-Cypriot community from the Turkish Cypriot community. The Greek Cypriots who were forced to flee from their homes in 1974 had been prevented from returning. The demographic manipulation of the island had reached alarming proportions. The number of Turkish settlers, implanted in the occupied area and given the homes of the evicted Greek Cypriots, now considered by the illegal regime as "aliens", had reached 80,000. A viable and just Cypriot settlement could not be based on a system of apartheid. Long-term amity, peace and stability could only be based on a federal settlement founded on a philosophy of unity.

ZELMIRA REGAZZOLI (Argentina) said it was essential to fully restore the human rights of the people of Cyprus. The solution to that seemingly intractable problem must be based on the relevant United Nations resolutions, which called for the restoration of the sovereignty, independence, territorial integrity and the non-alignment of Cyprus. Restoration of human rights was essential to deal with the problems of refugees, illegal detentions and the denial of the right to return to one's home. The restoration of fundamental rights such as freedom of movement had to be guaranteed to all Cypriots.

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READEX FICHE

Cyprus was the common home of all Cypriots. The establishment of a federation with two linguistic communities would go a long way in facilitating a solution. Equally, negotiations and the disposition of the "good offices" of the United Nations Secretary-General could contribute to the search for a durable solution to the Cypriot problem.

Z. JAZIC (Yugoslavia) reiterated his Government's full support for the people and Government of Cyprus and for its independence, sovereignty and territorial integrity. The human rights situation in Cyprus had not improved over the past year despite the improved international climate, he said. Serious violations were continuing. The solution to the problem of Cyprus should be based on international law, particularly Security Council resolutions 541 (1983) and 550 (1984), and the resolutions of the Commission on Human Rights. The withdrawal of all occupation forces and settlers, the voluntary return of the refugees to their homes, the respect of the human rights and fundamental freedoms of all Cypriots should be based on direct dialogue between the two communities.

FRANCOISE NAROVE (Madagascar) stated that the right to liberty of the Cypriot people was still being violated. The occupation troops were still present, refugees were inadequately protected and property rights were not guaranteed. All parties involved in the conflict should begin a meaningful dialogue in order to put an end to infringements on human rights. Madagascar reaffirmed its support for the independence, sovereignty, territorial integrity and unity of Cyprus as stipulated by the Declaration of the Movement of Non-Aligned Countries in Belgrade in September 1989. All the United Nations resolutions on the issue, and, in particular, Security Council resolutions 541 and 550, should be applied. Madagascar supported the efforts of the Secretary-General in his "good offices" mission and hoped negotiations would begin without delay.

ISAIAH Z. CHABALA (Zambia) said he regretted the fact that in spite of the numerous resolutions adopted by the General Assembly, the Security Council and the Commission, a just solution had not yet been found to the question of Cyprus. There could be no just solution to the question of Cyprus without the immediate withdrawal of all occupation forces and settlers from Cyprus. As in the case of Cyprus, the restoration and respect for human rights and fundamental freedoms in Kuwait could only be assured by the withdrawal of Iraqi forces within the framework of the relevant Security Council resolutions. The States and forces concerned should ensure full respect for the fundamental safeguards established by the United Nations for the protection of civilians in armed conflicts.

RAUL ROA KOURI (Cuba) recalled that the problem of Cyprus began with the invasion by a foreign Power in 1974. Turkey, in flagrant violation of international principles, continued to occupy a large part of Cyprus. The attempt to create a Turkish republic of northern Cyprus was to be condemned. Involuntary disappearances, displacement of persons and attempts to change the demographic composition of Cyprus were all deplorable acts. Unfortunately, the situation had not improved since last year. The path to a durable solution to the Cypriot problem was through the full implementation of

international law, unity and full respect of the basic rights of both communities, Greek and Turkish. There must be an immediate withdrawal of all occupation forces. Through dialogue and the "good offices" mission of the United Nations Secretary-General, there could finally be a just and durable solution to the problems of Cyprus.

H.O. BLAVO (Ghana) said that in spite of the consideration of the question, gross violations of basic human rights and fundamental freedoms continued in Cyprus. The resolutions of the Commission regarding refugees, displaced persons and changes in the demographic structure of Cyprus had essentially not been implemented. It was hoped that all parties to the conflict would co-operate fully with the Secretary-General in his mission of "good offices". As a member State of the Movement of Non-Aligned, Ghana supported the unity, independence, territorial integrity and non-aligned status of Cyprus, and stood for the restoration and safe-guarding of the human rights of all Cypriots.

AMINE EL KHAZEN (Lebanon) noted that Israel still occupied a part of southern Lebanon which contained 12 per cent of its population. Israel daily committed human rights violations in that part of the country, where it had created local proxy forces. That was in violation of international law and a dangerous misinterpretation of the right to self-defence. The Commission had expressed concern about the practices of Israel's forces in southern Lebanon to no avail. Some of the violations included the killing of civilians, the impositions of exit and entry restrictions, the prevention of United Nations Interim Force in Lebanon (UNIFIL) activities, the expulsion of Palestinians to that area and Israeli interference in the activities of the International Committee of the Red Cross (ICRC). The international community should put an end to those illegal and acts.

IOAN MAXIM (Romania) declared that the transition from a totalitarian and oppressive regime to a pluralistic and democratic society was not an easy task to achieve. After having broken the old totalitarian State structure, the new Government was paving the way to a new society of pluralism and democracy. The Government had met with all sorts of demands and pressures from its citizens in solving all the problems inherited from the old regime. The 40 years of Communist dictatorship, and particularly the absence of political democracy in the country, had cut off Romania from genuine democratic values. Romania was building a new society where political pluralism and market economy would be achieved through respect for the rights and choices to the individual.

JUDITH ATTAH (Nigeria) responded to Libya's allegations about the ill-treatment in Nigeria of some 600 Libyan prisoners of war. Nigeria had merely granted transit rights to the prisoners, a common practice. The Libyan Foreign Minister had expressed satisfaction at the explanation he had received from Nigeria. Regarding Cyprus, she said the primary obstacle to the full observance and enjoyment of human rights in the island remained the occupation by foreign forces of parts of Cyprus. There could be no justification for forceful alterations of the demographic structure of the country. Attempts to settle any part of Varosha with people other than its inhabitants were illegal

and deplorable. The continued occupation of parts of Cyprus had led to widespread abuses, such as the displacement of persons, and the destruction of the Cypriot cultural heritage. Nigeria was a member of the Non-Aligned Movement and of the Commonwealth Action Group on Cyprus; as such, it would continue to seek a peaceful, just and lasting solution to the question of Cyprus. A sustained and substantial intercommunal dialogue based on the 1977 and 1979 high-level agreements between the leaders of the Greek and Turkish Cypriot communities constituted an essential condition for a peaceful settlement.

STANISLAW PRZYGODZKI (Poland) said the concept of human rights as an exclusively domestic matter had been definitely rejected. Human rights violations were to be treated as a breach of international law. Poland reacted with great sensitivity to any violation of human rights, including the right of nations to freedom. The Iraqi aggression against Kuwait had caused massive human rights violations. The community of nations should find sufficient internal strength to defend itself effectively and to reinforce respect for international norms. As to the use of force in Vilnius and Riga, Poland continued to believe that none of the difficult problems between the Baltic republics and the Soviet Government could be solved by force and by ignoring the frequently articulated independence aspirations of the peoples republics.

J.D. BLAAUW, of the Liberal International Human Rights Committee, called for an investigation of the situation in Tibet. There had been no improvement in the situation caused by the occupation of Tibet by a great military Power. The world was everywhere confronted with the immense problem of refugees, religious, political and economic. The linkage between human rights violations and mass exoduses should be pursued, in particular the hundreds of thousands of refugees from Cambodia looked after by the United Nations High Commissioner for Refugees (UNHCR) and the Red Cross, and the exodus of minorities fleeing human rights violations in East Timor and Myanmar. Iraq had violated the Geneva Conventions on war. Even before the war began, there had been widespread allegations of disappearances, torture, detention without charge and other abuses. In Sri Lanka, the legal order had collapsed. Lawyers and judges ran risks when attempting to apply the rule of law. In the Baltics, the Soviet armed forces had attacked institutions occupied by democratically elected governments. Regarding the proposed international conference on the Middle East, Liberal International believed that the Kurdish question should be on the agenda of such a meeting.

MUKENDI WA MULUMBA, representing the Inter-African Union of Lawyers, said he was concerned about the impunity of authors of the human rights violations. The massacre of students of 12 May 1990 at the University of Lubumbashi in Zaire was deplorable. The Government of Zaire had first tried to deny the incident and then had attempted to distort the facts in order not to punish those responsible for the killings. Those who had tried to defend the families of the victims had been subjected to harassment. The continuing human rights violations in Zaire were to be condemned.

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MOHAMMAD YOUNIS KHAN (Pakistan) affirmed that Pakistan remained fully committed to the United Nations-sponsored pilot project for the voluntary return of Afghan refugees. The fact that only 60,000 to 70,000 refugees had so far taken advantage of those facilities was due mainly to the absence of provisions inside Afghanistan that would help to resettle the refugees. The uncertainties and dangers of the ongoing conflict, compounded their difficulties. An even greater danger were the millions of mines in Afghanistan. It was imperative that mines laid down by the regular Kabul-Soviet armies over 10 years be systematically removed. Pakistan was concerned at the declining international commitment and assistance available for the refugees. For the current year alone, Pakistan would be forced to release nearly 200,000 tons of wheat from its own reserves to feed the refugees. The international community had a responsibility towards the Afghan refugees.

SHAMIL MOHAMMED (Iraq) said the "Atlantic Zionists and the imperialist alliance" were imposing their hegemonic desires on his country and the whole Arab region. The United States had first launched economic sabotage and then military action to destroy the Islamic and Arab State of Iraq. The former régime of the Sheiks in Kuwait, together with the United States, had been conspiring against Iraq by reducing the price of oil and by threatening the security of Iraq. Both the Al-Sabbah régime and the United States had portrayed Iraq as a human rights abuser in order to prepare the ground for their aggression. The aggressors against Iraq had launched a campaign of false claims of human rights violations in Kuwait. The military command of his country had adopted the necessary measures to ensure the security of persons and property in Kuwait.

MOHAMAD AL THANI (Qatar) said the Iraqi invasion of Kuwait was a flagrant violation of international law. Iraq had under-estimated the response of the international community. The days of invading weaker and smaller States were finished. Iraq was trying to eliminate the national identity of Kuwait, to wipe Kuwait off the map. Iraq's actions had created enmity between fellow Muslims. Iraq had signed the Covenant on Civil and Political Rights and yet was guilty of detention without trial, torture, killings and arbitrary and summary executions in Kuwait. Iraq had executed some 200 people for resisting the seizure of their property in Kuwait. All perpetrators of such acts should be brought to justice. The legitimate Government of Kuwait should be allowed to return as soon as possible.

ABDELHAMID SEMICHI (Algeria) said he wanted to reaffirm his country's solidarity with the people of Cyprus. The work of the Secretary-General in facilitating an exchange of views between the two leaders of the Cypriot communities was commendable. The solution to the problem of Cyprus should no way come as the result of the division of the territory. The delay in the implementation of a global agreement over human rights violations could result in further abuses.

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Rights of Reply

MALIYABWANA KIRONGOZI (Zaire) rejected Libya's allegations about ill-treatment of Libyan prisoners and stressed that Zaire treated all prisoners according to international standards.

SHAMIL MOHAMMED (Iraq) rejected the statement by the French Minister. She had merely repeated what the other European delegations had already said during the session. France's affiliation with the United States was just an opportunist policy. The French had killed 1 million Algerians, and were killing New Caledonians. They were also killing innocent Iraqis through their barbaric acts.

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Press Release

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22 February 1991

COMMISSION CONTINUES DEBATE ON VIOLATION OF HUMAN RIGHTS IN ANY PART OF WORLD

GENEVA, 22 February (UN Information Service) -- The Commission on Human Rights this morning continued its debate on the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and Territories. Under this item, the Commission is examining the question of human rights in Cyprus and the situation of human rights in occupied Kuwait.

Participating in this morning's debate were the representatives of Rwanda, Jordan, Saudi Arabia, Australia, Chile, Bahrain and the United Arab Emirates. Representatives of the International Labour Organisation (ILO) and Pax Christi International also spoke.

Representatives of the Philipinnes, Kuwait, India, Morocco and Pakistan spoke in exercise of the right of reply.

Also this morning, the Special Rapporteur on the human rights situation in Afghanistan, Felix Emacora (Austria), welcomed the constructive criticism with regard to his report (document E/CN.4/1991/31). There may have been some errors in the actual numbers in the report, he said, but as a whole it was accurate. The report had been based on reliable information as far as was known. The situation in Afghanistan was complex and only a political solution could engender any radical change.

Statements in Debate

H.T. DAO, of the International Labour Organisation (ILO), said there were reports of serious violations of trade union rights in El Salvador. The Government of El Salvador should open a legal enquiry into those issues. In Romania, there was evidence of continued discrimination against ethnic, cultural and religious minorities. He hoped Romania would conform to international norms with respect to those issues. The ILO had begun legal proceedings against Iraq on such issues as the protection of salaries, the abolition of forced work and employment and social discrimination. In addition, some 1.9 million workers had been affected by the upheaval in the region. Migrant workers were experiencing grave economic difficulties, which

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were compounded by the loss of their personal effects and property in Kuwait and Iraq. Given the gravity of the situation, the Director-General of ILO had invited countries to a ministerial conference to examine the situation with a view to increasing technical co-operation to those countries in need.

BONAVENTURE MBARUSHIMANA (Rwanda) said the many reports before the Commission presented a generally objective appraisal of human rights policies in the world. Rwanda remained committed to the United Nations Charter and other international human right instruments, and was aware that violations of those principles led to the violation of human rights. Greater awareness of laws, the promotion of human rights by the Centre for Human Rights, along with the convening in 1993 of the World Conference on Human Rights, would give further impetus to the struggle for human rights. The Rwandan Government had recently dealt with painful events in the country. The Dar-es-Salaam Regional Conference had produced a declaration which focused on the problem of Rwandan refugees and their voluntary repatriation and called for the removal of all obstacles in the way of their immediate return. The report also called for an immediate cease-fire and general amnesty, and appealed for international assistance to help solve the refugee problem. Rwanda, meanwhile, was working towards establishing pluralistic democracy.

FAWAZ SHARAF (Jordan) said Israel's continued occupation of southern Lebanon was a violation of international law and United Nations resolutions. Israel had organized and armed a mercenary group which operated freely in the southern zone. The occupation of southern Lebanon was a first step in Israel's expansionist policy. The Israelis were hindering the free movement of Lebanese people in the area by building lateral military roads which effectively cut civilian communications. Israel continued to bomb Lebanese villages, causing civilian casualties. The Commission should again condemn Israel for its practices in Lebanon. He reaffirmed the need for an immediate and total Israeli withdrawal from Lebanon to permit the normalization of life of the citizens concerned.

JASEM ABU-OSHBA (Saudi Arabia) said the Iraqi invasion of Kuwait had been powered by a primitive desire to seize and occupy. The Baghdad regime falsely claimed that there had been a threatening uprising in Kuwait which Iraq had moved in to quell. What was ironic was Iraq's claims against colonialism, since colonialism itself had created Iraq. Saddam Hussein had agreed to, and then rejected, international instruments and agreements at will. The Iraqi administration simply failed to understand international laws and practices when those laws did not reflect Iraq's desires. Iraq's human rights record was filled with tales of repression, hard-heartedness and horrifying, savage practices being perpetrated against the innocent Kuwaiti population. Killing for the Iraqis was a daily occurrence and violated Islamic rules. However, Saudi Arabia and Iraq were bound fraternally and both were part of the Arab nation. Saudi Arabia distinguished between the Iraqi people and the Iraqi regime.

R.A. WALKER (Australia) said Iraq's invasion of Kuwait had laid bare to the world its contempt for international law and opinion. Even before the invasion, Australia had condemned Iraq's human rights violations, which

included mass executions, arbitrary detention and torture. Australia was troubled by the situation in Myanmar, where the military regime had failed to hand over power to an elected civilian government. China had put on trial many persons detained after the repressive actions of June 1989. The fact that people had been subjected to criminal processes and penalties for exercising fundamental rights was deeply disturbing. In Sri Lanka, there had been a tragic cycle of violence which had brought harrowing consequences to its people, of all ethnic groups.

In East Timor, he continued, there had been detention without trial and physical mistreatment of detainees. In Papua New Guinea, a secessionist movement on the island of Bougainville had resulted in violence, bloodshed and human rights abuses on both sides. Australia welcomed recent steps to resolve the crisis, especially the Honiara Declaration on peace, reconciliation and rehabilitation. He deplored the 1987 coup in Fiji. The new Constitution, while making a welcome return to representative government, built discriminatory principles into the political system. The human rights situation in Guatemala, El Salvador, Afghanistan and Romania should continue to be examined.

RADOMIRO TOMIR (Chile) said his country had experienced the denial of human rights. Now that democracy had been reinstituted after 17 years of authoritarian rule, Chile thanked the United Nations bodies which had helped to bring that about. The resolutions of the General Assembly and of other bodies, as well as the work of the Special Rapporteur, had provided great moral support during those dark times. Whenever reports on Chile were discussed, there had been a noticeable relaxation of the measures of the regime in an attempt to present a better face to the world. The United Nations could be proud of that. Towards the end of the period of repression, the authoritarian regime had become more open to visits to detainees by the International Committee of the Red Cross (ICRC). Chile was an example of how the international human rights machinery could be effective.

ADEL SATER (Bahrain) declared that the Iraqi invasion of Kuwait had provoked massive violations of human rights. Hospitals and schools had been converted into military barracks, thousands of Kuwaitis had been arrested and thousands more had been forced to flee. Those remaining in Kuwait lived under intolerable conditions. Kuwaiti citizens had been sent to Iraq as prisoners of war. Iraq had plundered the wealth of Kuwait and then attempted to deceive the world. The invasion of Kuwait had nothing to do with any Islamic cause; it was an attempt to invoke Islamic feelings to justify a barbarous act. It was all the more tragic since Kuwait had been a generous contributor to the Arab cause, and especially the Palestinian cause.

JACQUES VITTORI, of Pax Christi International, said his organization had previously called for an immediate withdrawal of Indonesian forces occupying East Timor, and for peace talks without pre-conditions. In addition, a referendum should be held. The East Timorese, like the Palestinians, waged a war of stones. In Sri Lanka, there had been an intense bombardment of the civilian population in Jaffna. In the Gulf, many innocent communities were being sacrificed to advance the interests of the coalition members. The

question of the Kurds concerned not only Iraq but Turkey, too, where they were being subjected to cruel and repressive measures. And what of the future of Lebanon occupied now by both Syria and Israel? he asked. Pax Christi was also concerned about the suffering of innocent victims in Iran, the Sudan, El Salvador and Colombia.

ABDULREDHA ABDULLAH MAHMOUD (United Arab Emirates) said the invasion of Kuwait had destroyed hopes for a new world order. That invasion threatened to set a precedent to action which could only be called "the law of the jungle". Iraq's aggression was contrary to the teachings of Islam, a flagrant violation of international law and was unacceptable behaviour towards a small, defenceless neighbouring State. Iraq's action was a complete denial of human rights and impinged upon human dignity. There had been murder, rape and executions; the destruction of homes, institutions and hospitals; and mass forced emigration. The environment was also adversely affected by deliberate Iraqi action. Every diplomatic effect had been exhausted in an attempt to procure a peaceful solution, but to no avail; Iraq had rejected every overture and had propelled the world into a devastating war.

Rights of Reply

HECTOR VILLARROEL (Philippines) welcomed the concern of the human rights group Terre des Hommes, which reported on numerous violations of human rights in the Philippines. His Government was dedicated to investigating human rights abuses. At the same time, it was important to note that the Philippines was a democracy.

SALAH AL-OTHMAN (Kuwait) said Iraq had resorted to baseless lies. Iraq had said that Kuwait was trying to destroy it economically. All recalled how much Kuwait had done for Iraq during the Iran-Iraq war. Kuwait had requested the Arab League to consider the situation of fixing oil prices, yet Iraq had refused to participate. Kuwait had tried to fix the price of oil with trust and good will.

KAPIL SIBAL (India) said Pakistan had shown neither self-restraint nor circumspection before making allegations against India. There was no such thing as "Indian-occupied Jammu and Kashmir". The state of Jammu and Kashmir was an integral part of India. The concept of the right of self-determination was inapplicable to territories which were integral parts of sovereign States. The presence of military forces was necessary to protect the people of Jammu and Kashmir from acts of terrorism instigated from Pakistan.

EL GHALI BENHIMA (Morocco) said that even if the representative of Terre des Hommes was ignorant of the history and culture of Morocco, her false allegations about conditions in the south of the country were inexcusable. Morocco was grateful to the non-governmental organizations that were genuinely investigating human rights issues; those determined to slander the country, however, must be rejected.

AHMAD KAMAL (Pakistan) said India's comments about human rights violations in Jammu and Kashmir were attempts to deflect the problem onto

Pakistan. The peoples of Jammu and Kashmir had a right to self-determination. Those places had been annexed by India, which tried to conceal its brutality by repressing the uprising. It was hard for India to deny the findings of its own human right organs, which contradicted Indian Government claims.

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United Nations

Press Release

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25 February 1991

HUMAN RIGHTS COMMISSION CALLS FOR CONTINUED INTERNATIONAL PRESSURE ON SOUTH AFRICA FOR ERADICATION OF APARTHEID

Other Resolutions Support Rights to Development, Self-Determination; Economic, Social and Cultural Rights; Action On Racial Discrimination

GENEVA, 22 February (UN Information Service) -- The Commission on Human Rights, ending the fourth week of its current session, this afternoon adopted 10 more resolutions dealing with human rights violations in southern Africa; the right to development; economic, social and cultural rights; the right to self-determination; racial discrimination; and the status of the International Human Rights Covenants. The Commission meets again on Monday to resume its debate on violation of human rights in the world.

Action on Resolutions

The Commission took note of the report of the Special Rapporteur on the question of mercenaries (document E/CN.4/1991/14) and reaffirmed that the recruitment, use, financing and training of mercenaries should be considered as offences of grave concern to all States. In a resolution adopted by consensus, the Commission also called upon all States which had not yet done so to consider taking early action to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. It asked the Special Rapporteur to submit a preliminary report to the General Assembly at its next session.

In a resolution on detention, torture and other inhuman treatment of children in South Africa, also adopted by consensus, the Commission reiterated its vigorous condemnation of the detention, torture and inhuman treatment of children in South Africa; demanded that South Africa lift forthwith the restrictions imposed on children, and ensure their basic and legitimate freedoms of movement, association and education; demanded also the immediate and unconditional release of all children still held in detention; and further demanded the immediate, total and effective implementation of the political measures announced in the policy pronouncements of President F.W. de Klerk on 2 February 1990 and 1 February 1991.

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The Commission appealed to the international community to maintain pressure on the Government of South Africa to achieve "profound and irreversible change to eradicate the policy of apartheid and the inhuman practices associated with this policy".

On the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa, the Commission expressed appreciation to the Special Rapporteur, Ahmed Khalifa, for his updated report (document E/CN.4/Sub.2/1990/13 and Add.1). It called upon all Governments to give the report the widest possible publicity. Governments and organizations were asked to maintain sanctions against South Africa until the total dismantlement of the apartheid system. The Commission requested the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to undertake a visit to that country in the context of the next update of the current report. The resolution was adopted by 23 votes in favour to 13 against, with 1 abstention. The vote was as follows:

In favour: Argentina, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ethiopia, Ghana, India, Indonesia, Iraq, Mauritania, Mexico, Morocco, Pakistan, Panama, Peru, Philippines, Senegal, Somalia, Swaziland, Ukraine, USSR, Venezuela, Yugoslavia and Zambia.

Against: Australia, Austria, Belgium, Canada, Czechoslovakia, France, Gambia, Germany, Italy, Japan, Portugal, Sweden and United States.

Abstention: Hungary.

With regard to the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Commission urged States which had not yet done so to ratify or accede to the Convention without delay, especially those which had jurisdiction over transnational corporations operating in South Africa.

It called on all States whose transnational corporations continued to do business with South Africa to take all appropriate steps to terminate their dealings with that country, and appealed for strengthened co-operation at the national and international levels in order to implement fully the decisions taken by the Security Council and other competent United Nations bodies with a view to the prevention, suppression and punishment of the crime of apartheid. It further requested the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention, with a view to promoting further ratification of, or accessions to, the Convention. Voting on the resolution was 29 in favour to 1 against, with 12 abstentions, as follows:

In favour: Argentina. Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, Ghana, India, Indonesia, Iraq, Mauritania, Mexico, Morocco, Pakistan, Panama, Peru, Philippines, Senegal, Somalia, Swaziland, Ukraine, USSR, Venezuela, Yugoslavia and Zambia.

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Against: United States.

Abstentions: Australia, Austria, Belgium, Canada, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Portugal and Sweden.

On the question of the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the Commission, in a resolution adopted by consensus, emphasized again the importance of adequate recourse procedures for victims of racism and racial discrimination, and once again requested the Secretary-General to prepare and finalize a handbook of recourse procedures. It invited all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of those evils.

The resolution also invited the Secretary-General to ensure the effective implementation of those activities proposed for the first half of the Second Decade that had not yet been undertaken and to proceed with the implementation of the activities for the period 1990-1993 as indicated in General Assembly resolution 42/47. It requested the Secretary-General to organize in 1991 a meeting of representatives of national institutions and organizations promoting tolerance and harmony and combating racism and racial discrimination with a view to exchanging experience on the promotion of such objectives. The Commission also recommended that the General Assembly take appropriate steps, in due course, to launch a third Decade to Combat Racism and Racial Discrimination, to begin in 1993.

In a resolution, adopted by consensus, on popular participation in its various forms as an important factor in development and in the full realization of all human rights, the Commission asked the Secretary-General for an updated study, taking into account all replies given by Governments, United Nations organs, specialized agencies and non-governmental organizations since the conclusion of an earlier study (document E/CN.4/1985/10 and Add.1 and 2), as well as any further replies that might be received.

On the effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development, the Commission invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to submit the third report of its Special Rapporteur on the implementation of economic, social and cultural rights to the Commission's next session. Governments which so desired were invited to provide the Special Rapporteur with comments about their experience concerning the impact of economic adjustment policies arising from foreign debt on the enjoyment of human rights. The resolution was adopted on a show-of-hands vote of 31 in favour to 2 against, with 9 abstentions.

In a resolution adopted by consensus on the question of human rights and extreme poverty, the Commission reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and that urgent national and international action was therefore required to eliminate them. The

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Committee on Economic, Social and Cultural Rights was urged to give the necessary attention, in its work, to the question of extreme poverty and exclusion from society, and it was recommended that the Sub-Commission on Prevention of Discrimination and Protection of Minorities should give particular attention to the conditions in which the poorest themselves could contribute to a better understanding of the harsh reality of their lives and its causes.

The Commission reaffirmed the importance of the right to development. It called upon the Secretary-General to submit to the Commission's next session concrete proposals on the effective implementation of the Declaration on the Right to Development, taking into account the views expressed on the issue at the present session as well as any further comments and suggestions that may be submitted on the basis of Commission resolution 1990/18. It also called upon the Preparatory Committee for the World Conference on Human Rights to take fully into account the Declaration on the Right to Development and decided to consider this agenda item at its next session. The resolution was adopted by a roll-call vote of 40 in favour to 1 against, with 2 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Burundi, Canada, China, Colombia, Cuba, Cyprus, Czechoslovakia, Ethiopia, France, Gambia, Ghana, Hungary, India, Indonesia, Iraq, Italy, Madagascar, Mauritania, Mexico, Morocco, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Somalia, Swaziland, Sweden, Ukraine, USSR, Venezuela, Yugoslavia and Zambia.

Against: United States.

Abstentions: Germany and Japan.

Without a vote, the Commission adopted a resolution on the status of the International Covenants on Human Rights. It appealed strongly to all States that had not yet become parties to the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights to do so, and to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights. The Secretary-General was invited to intensify systematic efforts to encourage States to become parties to the International Covenants and to provide such services to the States that were not parties to the Covenants, with a view to assisting them to ratify them or accede thereto.

Explanation of Votes

KATSUMI SEZAKI (Japan), speaking after the votes, said he had voted against the draft resolution on the Declaration on the Right to Development because he felt that the Commission was not the right forum for a debate on foreign debt. Japan had helped developing and indebted countries and would continue to do so. However, that problem should be discussed elsewhere in the United Nations system.

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REICH OTTO (United States) said he voted against draft resolutions on the Development Declaration, the right to development and human rights and poverty, because there was no need to treat that question in the Commission. Respect for basic human rights did not cost Governments anything. The United States was sympathetic to the contents of the draft on poverty but felt that the conquest of extreme poverty had no linkage to liberty and enjoyment of life.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/233
25 February 1991

HUMAN RIGHTS COMMISSION DECIDES TO CONSIDER SITUATION IN GUATEMALA DURING EXAMINATION OF ADVISORY SERVICES

Continues to Examine Human Rights Violations World-Wide

GENEVA, 25 February (UN Information Service) -- The Commission on Human Rights, acting on a motion by Venezuela, decided this morning to consider the human rights situation in Guatemala during the examination of advisory services in the field of human rights which is scheduled to begin later this week.

The Commission acted in accordance with its resolution 1990/80, adopted at last year's session, in which it decided to consider the question of human rights in Guatemala under an agenda item to be determined in light of the report of an independent expert to be appointed by the Secretary-General and of the human rights situation in the country. (The report of the independent expert appointed, Christian Tomuschat (Germany), is contained in document E/CN.4/1991/5 and Add.1.)

After taking the decision, the Commission resumed its examination of the question of the violation of human rights and fundamental freedoms in the world, with statements from the Ukraine, Indonesia, Mexico, Sri Lanka and the World Union of Progressive Judaism. Libya, Iraq, India, Pakistan, Kuwait, Zambia, Saudi Arabia, Zaire, Bahrain and the United States exercised the right of reply.

Decision on Guatemala

The motion by Venezuela to consider the situation of Guatemala during its examination of human rights advisory services was accepted by roll-call vote of 21 in favour to 16 against, with 5 abstentions.

In favour: Argentina, Brazil, Burundi, China, Colombia, Gambia, India, Indonesia, Iraq, Madagascar, Mauritania, Mexico, Morocco, Pakistan, Peru, Philippines, Senegal, Somalia, Swaziland, Venezuela and Yugoslavia.

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Against: Australia, Austria, Belgium, Canada, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Panama, Portugal, Sweden, Ukraine, United States and Zambia.

Abstentions: Cuba, Cyprus, Ethiopia, Ghana and Soviet Union.

Explanation of Vote

RONALD WALKER (Australia) said he had voted against the motion because he believed that country situations should be considered under the agenda item on the violation of human rights and fundamental freedoms in the world.

ISAIAH CHABALA (Zambia) said his vote had been motivated by humanitarian considerations only, and did not signal lack of confidence in the new Government of Guatemala.

CESAR PEREIRA BURGOS (Panama) said human rights violations were the business of the international community. Guatemala's current human rights situation was an impediment to that country's society. The vote did not mean a denial of support for Guatemala's Government.

ZDENEK PAGAC (Czechoslovakia) said he had voted against, but not to exclude Guatemala from advisory services, which he thought should be continued and strengthened.

Statements on Human Rights Violations World-Wide

ALEXANDRE KOUPTCHICHINE (Ukraine) stressed the need for universal recognition of Cyprus through a solution which could settle the problem once and for all. The exercise of human rights and self-determination was essential for the Cypriots, without any interference by any outside Power. A solution should guarantee the unity and the non-aligned status of Cyprus. The full or partial attachment of Cyprus to another country was unacceptable as was its detachment. The Secretary-General's efforts in bringing about a just and lasting solution which could ensure the full sovereignty of Cyprus were commendable.

S. WIRYONO (Indonesia) said there was no consensus yet on the indivisibility of all aspects of human rights as a concept. Most countries preferred to pick and choose. The term "gross violations" had been interpreted as referring to civil and political rights. Cases before the Commission were usually in that realm and also were more likely to grab the headlines.

He asked why should the Commission's commitment to a just humanity should be "compartmentalized" by political and practical convenience. In many cases allegations were made which did not meet the criteria of "reasonable grounds of belief" and "reliable attested violations". There was often a manipulation of the Commission's proceedings for political purposes. Indonesia favoured the decentralization of the human rights conference to other parts of the world.

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CLAUDE HELLER (Mexico) said international peace and security were affected by regional and domestic conflicts, which had direct consequences on human rights and fundamental freedoms. The Liberian war had caused much suffering among the civilians in that country. Regional conflicts should be solved and peace should be restored in order that people fully enjoy their human rights. Democratization and respect for human rights were inseparable. He expressed his concern about the serious implications of the human rights violations being committed against civilians in Kuwait.

BRADMAN WEERAKOON (Sri Lanka) said his country had to cope with two interlocking crises, one in the south and one in the north. In the south, the Sri Lankan Government had lifted the state of emergency in January 1989. Insurgents had misinterpreted this act as a sign of weakness and had murdered thousands of people. The Sri Lankan Government had had to take firm action and many people had been put in prison. In the north, the Indian peace-keeping force had since 1987 been attempting to disarm rebels in that area. The struggle had left 1,500 Indian soldiers and thousands of rebel and Tamil civilian dead. In the face of renewed terror, the Government had no alternative but to respond firmly, with the result that the conflict raged once again. The Government was accountable under various long-standing democratic mechanisms, and was aided by various non-governmental organizations and United Nations bodies. The conflict in the north was not against the Tamil people but against the uprising. The Sri Lankan Government had called upon the rebels to resume talks, and would be prepared to suspend offensive operations.

DAVID LITTMAN, of the World Union of Progressive Judaism, said most Governments knew fully which States or organizations were behind international terrorism, hostage-taking and other crimes, yet they had never been condemned by any Commission resolution. Over the past four years, the World Union had submitted statements to the Commission and the Sub-Commission concerning 200 single Jewish women detained against their will in Syria. The World Union had asked that Syria cease its discriminatory practices and release those women who wished only to marry a person of their faith abroad. Syria had said it respected Judaism and other religions, but it was not clear how that accorded with the 200 women being kept against their will in Syria.

Rights of Reply

IBRAHIM OMAR (Libya) spoke of the reaction by some African countries to the Libyan claim that they had served as transit points for Libyan prisoners of war under the control of United States forces. He said criticism should be limited to United States violations of international conventions through its actions in the region. No State could change the legal status of the prisoners of war in question.

ABDUL AL-KADHI (Iraq), replying to statements by the representatives of Saudi Arabia and Bahrain, said Saudi Arabia was not sovereign, for it was occupied by the United States. Saudi Arabia did not endorse human rights

instruments. He said the Ambassador of Bahrain in Geneva, Abdurahman Kemal, had been called back to his country five months ago and was reportedly in prison. He said the Commission should inquire into the case.

Speaking of border incidents, KAPIL SIBAL (India) said it was infiltration forces from Pakistan which were responsible for the human rights violations which had taken place in crowded areas. Indian security forces had been instructed to act with restraint. In the event of any problems in the security forces, disciplinary action would be taken. Local people were not free from threats. The Commission should instruct Pakistan to cease its border crossings and cease interference in internal Indian affairs.

AHMAN KAMAL (Pakistan), replying, said his country was not intervening in the internal affairs of India. Democracy and the rights to life and self-determination were not exercised in Kashmir.

MAHMOUD AL NOURI (Kuwait) denied that the resources of Kuwait had been misused, and said Kuwait's prosperity had benefitted many people and countries. Over the last two decades, 7.8 per cent of Kuwait's income had gone to help the developing countries. If Iraq was not prosperous, it was because of the misuse of its resources by Saddam Hussein, who exploited the country for his personal gain.

ISAIAH CHABALA (Zambia), responding to a statement by the International Conference of Free Trade Unions, said the labour movement in Zambia had always made a valuable contribution to society in the political and democratic contexts. On pending legislation, which the representative of the non-governmental organization felt would limit and attack basic trade union freedom, he said, on the contrary, the new legislation would serve to further liberate and enhance trade union practices.

JASSIM ABU-OSHBA (Saudi Arabia) rejected the accusation by Iraq's representative that his country did not respect human rights. Saudi Arabia had not signed the human rights conventions because it had reservations on certain provisions. That did not mean that it did not respect them. Iraq had committed atrocities in Kuwait. The Iraqi representative should be the last person to speak about human rights.

KIRONGOZI MALIYABWANA (Zaire) said he was indignant about comments made by the Inter-African Union of Lawyers. The allegations were surprising and the issues raised were being considered by judicial authorities where applicable. Justice and not the rule of the jungle would prevail. The principle of accountability would be upheld, and those responsible would be judged accordingly.

ADIL SATER (Bahrain) said the Iraqi allegation that the Ambassador of Bahrain in Geneva had been imprisoned after he was called back home was not true. The Ambassador was at present working at the Ministry of Foreign Affairs in Bahrain.

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KENNETH BLACKWELL (United States) said there had been massive human rights violations in Kuwait perpetrated by Iraq, which was now operating a scorched earth policy in that country. Saddam Hussein was bringing terror and tragedy on his own people. Mr. Blackwell compared Ethiopia's predicament in 1936 with Kuwait's situation in 1991.

Mr. AL-KADHI (Iraq), responding, said Iraq had agreed to withdraw from Kuwait last week in accordance with a Soviet proposal. Bush had opted for war. Thousands of allied fighters had been killed this morning. Bush was responsible for that.

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United Nations

Press Release

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HUMAN RIGHTS COMMISSION CONTINUES DEBATE ON HUMAN RIGHTS VIOLATIONS WORLD-WIDE

Hears Statement from Repesentatives of 28 Countries and Organizations

GENEVA, 25 February (UN Information Service) -- The Commission on Human Rights this afternoon continued to examine the question of the violation of human rights and fundamental freedoms in any part of the world. Under this agenda item the Commission examines, among other issues, the question of human rights in Cyprus and the human rights situation in occupied Kuwait.

Also this afternoon, the Commission heard Pastor Ridruejo, Special Representative on the human rights situation in El Salvador, introduce his report (document E/CN.4/1991/34). Mr. Ridruejo said the Government of El Salvador was dedicated to ending human rights abuses. Unfortunately, there were still serious outstanding violations. Summary executions by the State law and order apparatus, as well as politically motivated disappearances, torture and assassinations by death squads had continued. There was evidence however, of the incarceration of many former police and military agents for human rights abuses. He expressed concern at the lack of progress in the case of the murder of the Jesuit priests and their workers. Both the security forces and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) were guilty of numerous executions and unjustifiable violence. He said it was hoped that negotiations between the Government and FMLN, under the auspices of the United Nations, would continue to bear fruit. The San Jose Accord on human rights between the two belligerents on human rights was a step in the right direction.

Taking part in the debate on human rights violations world-wide were representatives of the following delegations: Morocco, Cuba, Peru, Soviet Union, India, Ukraine, United Kingdom, Egypt, Kuwait, Finland, Turkey, China and Yugoslavia. The observer for Palestine made a statement. The following non-governmental organizations also spoke: the World Association for World Federation; the American Association of Jurists; the Christian Democratic International; the Romani International Union; the World University Service; the International League for Human Rights; the International Association for the Defence of Religious Liberty; Friends of the Earth; the International

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Federation for the Protection of Rights of Ethnic, Religious, Linguistic and Other Minorities; the International Association of Educators for World Peace; the International Union of Students; the International Federation of Action of Christians for the Abolition of Torture; the International Indian Treaty Council; and the World Alliance of Reformed Churches.

The representatives of the Sudan, El Salvador and Syria exercised the right of reply.

Statements in Debate

MILAN BABIC, of the World Association for Wo-ld Federation, said the political crisis in the Yugoslav Federation had reached its climax and had practically caused the disintegration of the country. The Serbian people living in the Yugoslav Federal unit of Croatia had decided to remain in the Yugoslav Federation, believing that such a form of State constitution was the best for achieving the equality of all citizens. The Serbs had expected that the first multi-party elections, which took place in April and May 1990, would bring democracy and freedom. However, with the victory of Croatian chauvinistic parties, the system of institutional tyranny was constituted. At this moment, the Republic of Croatia wanted to leave Yugoslavia and form the independent State of Croatia, which would also include ethnically Serbian territories. The Serbian people did not agree with that solution. Only through the mechanisms of self-determination for all Yugoslav peoples could the constitutional order of Federal Yugoslavia be resolved. All Serbian people had the right to live in one country.

ALEJANDRO TEITELBAUM, of the American Association of Jurists, stated that Iraq's invasion of Kuwait was a clear violation of international law and human rights. None the less, the Security Council authorization of military force did not in any way promote the restoration of international peace and security. There had been some attempts to compare the Security Council's authorization of force against Iraq with that of Korea in 1950. It was imperative to lucidly distinguish between the two events. In 1950, the aggression against South Korea was ongoing and hence, according to the Charter, force was legitimate and just. In the case of Iraq, there was no ongoing aggression. Could the Security Council authorize a war to put an end to an aggression? The American Association of Jurists was persuaded it could not. The Security Council had effectively handed over its authority to the United States, which had in turn used excessively unnecessary force.

The representative of the Christian Democratic International declared that Turkey had invaded Cyprus in 1974 and still continued to violate human rights. Some 2,000 people had disappeared there. In the Baltic States, the situation stemmed from the odious and secret pacts between Molotov and von Ribbentrop and the Soviet invasion and, later, annexation. Reports from Estonia, Latvia and Lithuania revealed many violations of human rights. There had recently been positive changes in Africa and in Latin America. However, Cuba had not ceased its repressive policies. There should be a special rapporteur for Cuba.

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EL GHALI BENHIMA (Morocco) noted that despite painful recent developments, the culture of human rights remained alive. Morocco's Consultative Council on human rights had adopted three main proposals. The first was aimed at ensuring that Morocco's penal system was in conformity with the relevant international instruments. There would be regular contact with the foreign and local press, with human rights organs of the United Nations and non-governmental organizations. Human rights would be taught in schools and institutes connected with the Ministries of the Interior and Justice and with the Administration of Defense.

NICOLAE GHEORGHE, of the Romani International Union and of the Federation International de Droits de L'Homme, noted that the Union represented the interests of the 10-12 million Roma living in almost all countries of the European and American continents, where they were known variously as Gypsies, Gitanes or Tsiganes. Contrary to the popular image of "Gypsies" as a free and untroubled people, he said, the Roma population everywhere endured the systematic and gross deprivation of their human, social and civil rights. Joseph Voyame, in his report on the human rights situation in Romania, had referred to a variety of violations of the rights of Roma communities. The attempts of governmental agencies of different countries to improve the social status of Roma communities, as well as the efforts for social promotion of Roma's themselves, were hindered by a long tradition of racism and anti-gypsy mentalities and practices. The Union recommended, among other things, that the Special Rapporteur of the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities pay due attention to the condition of Roma Communities.

MARK THOMSON, of the World University Service, said El Salvador was completely militarized, and that had led to many extrajudicial and summary executions, disappearances, politically motivated detention, clandestine jails and torture. In Guatemala, he said, torture and enforced or involuntary disappearances were just one aspect of the extremely difficult reality that the people had to endure. The human rights situation in Colombia also caused serious concern. The continuing crisis in Sri Lanka had taken a heavy toll in human lives, particularly in the university student populations both in the north and in the south. The replacement of the rule of law in Sri Lanka by the rule of the gun was a grave matter for all who hoped for the restoration of peace and justice in that country.

FELICE GAER, of the International League for Human Rights, said people of all nations looked to the United Nation for leadership in a time of world crisis, but the Human Rights Commission had failed to take action last year on a draft resolution on Iraq. Pervasive abuses of human rights in that country had been well-documented by non-governmental organizations but had been disregarded, until now. The Commission also failed to take action last year on a draft resolution on China, where human rights abuses had continued. Real leadership required more action by the Commission, not "no action". The Commission had failed to take action regarding abuses in the Soviet Union, Sri Lanka, Turkey and Northern Ireland. There was a considerable way to go before the Commission could begin to claim a mantle of "leadership" in human rights.

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RICHARD WARNES, of the International Association for the Defence of Religious Liberty, said three innocent converted Christians had been held without right to counsel and subjected to verbal and physical abuse in Egypt. That persecution was not limited to Christians alone but also to chaplic Egyptians. A chaplic priest and his family had been killed last year and chaplic gatherings had repeatedly been broken up violently. The Egyptian Government should be urged by the international community to adhere to the covenants it had signed.

VAWTER PARKER, of the Friends of the Earth, said that in Guatemala there had been excessive use of banned pesticides, intentionally lethal use of other hazardous chemicals and the destruction of natural forest areas where rural indigenous peoples lived. Those practices were in violation of the right to life, the right to health and the rights of indigenous peoples. The current regime in Myanmar had been granting logging concessions primarily to foreign companies which were rapidly stripping the forests, and fishing concessions to foreign companies that were using driftnets to sweep the sea bed clean of fish and crustaceans. Before those concessions were granted, hundreds of thousands of small fishermen lived by catching seafood from small boats. Now, they were being uprooted and left homeless. In the United States the border region from California to Texas was believed to be inundated with buried toxic chemicals and sludge, posing a threat to public health and safety.

ALEXANDER KAMAROTOS, of the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, said his organization was particularly concerned with the flagrant and massive violations of human rights and the suffering of the innocent people of Iraq and Kuwait, both victims of an ambitious dictator. The invasion of Kuwait was a reminder of other instances when the international community had not managed to respond promptly. Cyprus had been invaded by Turkey in a similar way, and about 40 per cent of the territory of Cyprus was still occupied by Turkey. In Albania, the current massive flow of people into Greece was, by some account, brought on by intimidation, misinformation and rumours concerning jobs, property and free consumer goods awaiting them across the border. Grave human rights violations persisted in Albania, and the Commission should maintain its scrutiny of the situation.

RAUL ROA KOURI (Cuba) said the United States had not given sufficient time and thought to a peaceful settlement of the Gulf war, and its hastiness had rendered the Security Council useless. The destruction in Iraq was enormous. The destruction in Kuwait was already the object of a scramble for contracts among Western companies. In Guatemala, serious violations of human rights by the Government "law and order" forces had continued. In El Salvador, where human rights violations had been a constant feature for many years, the Government had not addressed the economic and social conditions of the people. In the United States, the most rich and powerful country in the world, it was incredible that some 40 million people, mainly blacks, lived below the poverty line; it was that poverty that generated crime, violence and drug addiction.

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OSWALDO DE RIVERO (Peru) urged the Secretary-General to continue to use his good offices to find a final solution to the Cyprus dispute. Peru also hoped that a rapid and peaceful solution would be found to the Gulf crisis. It was encouraged that there had been improvement in the human rights situation in Chile, and welcomed the return of democracy to Haiti. Peace and full political and civil rights should be restored to El Salvador as soon as possible, with the help of the Secretary-General.

OLEG MALGINOV (Soviet Union) noted that it was important to depoliticize human rights violations, and for each country to come to grips with local human rights problems. The Soviet Union was in favour of the restoration of all the human rights of the Kuwaiti people. In Afghanistan, the situation remained complex. Armed attacks, which were detrimental to human rights, continued. Peace talks between the Government and the guerrillas was the way forward in procuring a peaceful and just settlement. The Soviet Union hoped that apartheid was coming to an end in South Africa. It welcomed the democratic developments and the election of a new Government in Chile. The World Conference on Human Rights was a major event, and the Soviet Union would make a significant contribution.

KAPIL SIBAL (India) stated that during the last year the global commitment to fundamental human rights had been reinforced, but, any euphoria had been more than dampened by the tragic developments in the Gulf, where Iraq's invasion fo Kuwait, as well as the eruption of hostilities, had resulted in massive violations of human rights. Some of the most hopeful developments during the past year had taken place in southern Africa. In Fiji, he said, a constitution had been imposed which institutionalized racial discrimination; the new constitution had no legitimacy either under the 1970 constitution or under international law. India believed that in the Middle East there could be no durable peace without a just and comprehensive settlement based on the inalienable rights of the Palestinian people to a homeland. India also supported the sovereignty, unity and territorial integrity of Cyprus.

VLADIMIR VASILENKO (Ukraine) said the process of massive violations of human rights had continued in southern Africa, Kuwait and in the occupied territories. While no State or society could implement the full range of human rights, because there were always some anomalies, the establishment of a liability, both personal and nationwide, could act as a deterrent to violations. At the national level it was the responsibility of the organs of State to implement human rights laws. At the international level it was the responsibility of States to abide by their international humanitarian obligations. It was dialogue that brought about an equitable solution to Namibia, and it was dialogue which would produce a solution in Cyprus and in Cambodia.

MICHAEL WESTON (United Kingdom) said he witnessed what happened during the seizure of Kuwait by the Iraqi forces while he was serving as Ambassador in Kuwait City. In the period between the Iraqi invasion of 2 August and the date when he was confined to his embassy, 24 August, he was able to move around reasonably freely. The plight of many foreign nationals was harrowing;

those people had lost everything they owned and were roaming in the streets searching for food. Young boys from families suspected of being involved with the resistance had had their limbs broken in attempts to extract information from them. The Iraqi soldiers had looted everything they had found and had transported it to Iraq. He paid tribute to the courage and endurance of those Kuwaiti citizens who stayed being in Kuwait, as well as to the fortitude of those members of the foreign communities forced to stay with them.

NABIL ELARABY (Egypt) said Iraq's occupation of Kuwait had set a dangerous precedent for future international relations. Egypt had received a promise from Iraq that Kuwait would not be invaded. The Government of Egypt had attempted to persuade Iraq to respect and abide by international law, but to no avail. The right of the Palestinian people to a homeland could not be realized or justified by the invasion of Kuwait. It was difficult to speak about the "unbelievably atrocious" human rights violations in Kuwait. All violations of human rights were deplorable, and Egypt would not hesitate to comment upon the situation in the Golan Heights, the West Bank and southern Lebanon.

SALEM JABER AL-SABAH (Kuwait) said Iraqi aggression had tried to obliterate Kuwait and eliminate its structures. The Iraqis had looted the riches of the country and its citizens. Recently the Iraqi forces had committed a number of atrocities. Some 40,000 Kuwaitis had been indiscriminately arrested. Their meagre food and medicine rations had been confiscated. Reports were also reaching the West of Iraqis executing men and women in detention. By destroying the main economic infrastructures, such as factories, desalination stations and oil wells, Iraq had crippled the whole economy of Kuwait. He urged the prosecution of the Iraqi authorities for their crimes and called upon the Commission to appoint a special rapporteur on Kuwait.

VEIJO SAMPOVAARA (Finland) said the Baltic peoples had the right to national self-determination; the problems that remained in that respect had to be solved by political means through negotiations between the Governments of the Soviet Union and the Baltic republics. African conflicts, he said, were a larger catastrophe than the war in the Gulf. He spoke of the plight of millions of refugees and the misery of those who had stayed in their countries; massive international assistance, combined with efforts to eliminate the root causes, was urgently needed. Finland supported human rights initiatives in developing countries through economic co-operation programmes.

NABIL RAMLAWI, Observer for Palestine, said the United States had aborted the peace process and continued to destroy the economic infrastructure of Iraq. The attack by the United States-led coalition was a betrayal of international legitimacy. Since the outset, Palestine had been in favour of an Arab solution, but the United States had brought tremendous pressure to internationalize the problem in order to dominate the region. That was a colonialist attitude. Since 1972 Israeli forces had been implanted in southern Lebanon in defiance of international legitimacy. Violations of human rights in southern Lebanon and in Palestine had multiplied.

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CEM DUNA (Turkey) said there were two politically and legally equal parties to the Cyprus question: the Turkish Cypriot people and the Greek Cypriot people. In 1960, they had co-founded a partnership through the exercise of the right to self-determination separately. Consequently, and as a result of the Greek Cypriot side's obsession with being the sole master of the island, that partnership collapsed in 1963, when the Greek Cypriots launched an all-out attack designed to annex Cyprus to Greece. Thereafter, United Nations peace-keeping forces had been deployed on the island to prevent violence. The Turkish Cypriot people wanted to live side by side and in peace with the Greek Cypriots. Turkey was in favour of a comprehensive and lasting solution in Cyprus to be reached through negotiations by the two peoples of the island.

FAN GUOXIANG (China) said accusations of Chinese maltreatment of Tibetans were lies; over the past 40 years, under the leadership of the central Government and with the assistance from the people of the whole country, the people of different nationalities in Tibet had been closely united. Tibet had undergone profound historic changes in the political, economic and other fields. The national culture had been protected. Eight research institutes in Tibet and other 20 institutes in China specializing in Tibetan studies had been set up. The policy of freedom in religious belief had also been carried out in Tibet. He said the invasion and annexation of Kuwait by Iraqi troops constituted "trampling upon" the universally recognized norms governing international relations, and a violation of the independence and sovereignty of Kuwait.

MARIPAZ MARTINEZ NIETO, of the International Association of Educators for World Peace, said repression against political opponents had increased in Cuba. They were harassed and constantly monitored. Human rights leaders had been imprisoned for expressing their views. There was psychiatric abuse, illegal imprisonment and harassment. The number of people trying to leave Cuba showed the magnitude of the problem. In Libya, during the past 18 months, many people had been arrested and imprisoned for being suspected of memberships in Islamic organizations.

OTTO PERALTA, of the International Union of Students, said the Guatemalan people were suffering from the "irrational" policies marked by enforced disappearances, killings and abductions. The paramilitary commandos responsible for many atrocities in that country remained unpunished, and several abductions of Guatemalans had gone uninvestigated by the authorities. The Commission should appoint a special rapporteur on Guatemala.

The representative of the International Federation of Action by Christians for the Abolition of Torture, said that although public elections had been held in Guatemala in 1990, and certain measures had been announced aimed at improving the situation in the country, violations of human rights had not stopped. Cases of torture and forced disappearance had been reported. In East Timor, women were not only subjected to the general suppression of the population at large but were objects of abuse by the

occupying forces. The Federation believed that the mandate of the Special Rapporteur for Romania should be extended, as violations were still taking place there.

KAWAIPUNA PREJEAN, of the International Indian Treaty Council, said that from Alaska to Argentina, Indian lands had been stolen. In Australia, the Aborigines had been shamefully treated. The United States Government had refused to grant the people of Hawaii their independence. In Guatemala, the indigenous people were still subjected to repression by the armed forces. In East Timor, local people there were being ill-treated by the Indonesian Government. In El Salvador, violations were serious and merited the renewal of the mandate of the Special Rapporteur. Sri Lanka held the record for disappearances: some 60,000 people were involved. The government-sponsored death squads and the armed forces were responsible. In Western Sahara, the Moroccan authorities remained intransigent despite reports of hundreds of disappearances. Democratic developments in Chile were cause for optimism.

SARAH STEPHENS, of the World Alliance of Reformed Churches, said that in spite of the sacrifices and struggles of the Filipino people in overthrowing the Marcos dictatorship, the legacy of assassinations and political persecution continued in the Philippines. Human rights violations also continued to be committed by government forces or groups identified with them. The recent decision by the Supreme Court, which legalized arrest without warrant of those suspected of subversion was also worrying.

ZIVOJIN JAZIC (Yugoslavia) said Yugoslavia condemned Iraq's invasion, occupation and annexation of Kuwait. On the situation in Yugoslavia, he said that together with the other non-aligned countries, his country had tried to work out a peaceful resolution of the crisis. There had been free multi-party elections in which more than 200 political parties had participated. The legislative, judiciary and executive bodies had been separated and depoliticized. Kosovo was a constituent part of the republic of Serbia and Yugoslavia, and could not be treated as being outside the Yugoslav context. Members of the Albanian minority in Kosovo had boycotted the multi-party elections in Serbia and had refused to make use of the legal possibility to have their political parties registered in that republic. The democratization processes in Hungary and Romania, although of a varying intensity, had brought about positive changes in those countries in the policies towards national minorities.

Right of Reply

OMAR ALIM (Sudan) affirmed that contrary to an Amnesty International report, the Sudan did not torture prisoners. The Sudan had introduced legal reforms. The country was faced with a serious security problem, but it had never used food as a weapon. The introduction of Islamic laws would not affect human rights and would certainly not affect non-Muslims living in the south of the country. In any event, Islamic laws were humane and respected human rights. The former Prime Minister of the Sudan was under house arrest because of his anti-Government incitement and as soon as that illegal activity ceased he would be released.

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MAURICIO ROSALES RIVERO (El Salvador) expressed his concern about FMLN's claims to enjoy an equal sovereign status with the Government during the peace negotiations. Only one Government could exist in El Salvador. Peace could be achieved through negotiation and dialogue under the agenda adopted in Caracas. A group claiming parity with the Government would jeopardize the legal system of a country.

CLOVIS KHOURY (Syria) affirmed that there was no Jewish problem in Syria. There was no discrimination among Syrian citizens. Syrian citizens of Jewish faith were Syrians first and Jews second. The Syrian authorities had no control over whom Jews could marry. Should a Jewish girl wish to leave Syria to marry a foreigner, then her request for a passport would be considered carefully. Any attempt to claim that Syrian Jews were oppressed was Zionist propaganda, designed to stir up hatred.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/235
26 February 1991

VICE-MINISTER FOR FOREIGN AFFAIRS OF CHILE ADDRESSES HUMAN RIGHTS COMMISSION

Commission Discusses Human Rights Violations in World

GENEVA, 26 February (UN Information Service) -- The Vice-Minister for Foreign Affairs of Chile, Edmundo Vargas Carreno, told the Commission on Human Rights this morning that his country was undergoing a democratic reconstruction. The Commission was continuing its debate on the question of the violation of human rights and fundamental freedoms in any part of the world.

Also taking part in the debate were the representatives of Brazil, Spain, Mexico, Senegal, Canada and Bolivia. The representatives of Egypt, Cyprus, Libya, Cuba, Greece, Nicaragua, Iraq and Turkey spoke in exercise of the right of reply.

Statement by Vice-Minister of Chile

EDMUNDO VARGAS CARREÑO, Vice-Minister for Foreign Affairs of Chile, said that before Chilean democracy was interrupted, his country was at the forefront of human rights. In 1973, the harmony of human rights was disrupted by a coup d'état, but the churches and other peace-loving groups continued to be the torch of human rights.

Since 1989, he said, Chile had been fully involved in a democratic reconstruction. There had been important fundamental amendments to the Constitution, which proclaimed the duty of the State to protect and promote human rights and the integration of human rights treaties. A National Commission for Truth and Reconciliation had been established by President Patricio Aylwin to examine the problem of disappearances and repression under the Pinochet regime. President Aylwin had pardoned all political prisoners who were eligible for such treatment. Torture had been eradicated thanks to a new law authorizing judges to appoint independent investigators to perform autopsies on questionable cases. There was absolute freedom of expression in Chile, and trade union rights were scrupulously respected. The rights of indigenous peoples had been reinforced by the National Commission on Indigenous Peoples.

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Statements in Debate

RUBENS RICUPERO (Brazil) called for greater international economic co-operation for Brazil, which was suffering from the effects of the economic imbalances in the Government's efforts to promote and protect human rights. The Brazilian Government was active in attempts designed to redress irregular situations, protect individuals and counter human rights abuses, he said. Those efforts were public and included the full participation of non-governmental organizations. However, the results from the mobilization of the entire population in an effort to counter human rights violations had sadly not met Brazil's best expectations. Those violations continued. Poverty bred despair; destitution evolved into violence and limited financial resources had restricted the efficiency of law enforcement agencies. In the absence of co-operation aimed at improving Brazil's economic situation, human rights would remain in the realm of ideals.

MERCEDES RICO (Spain) said a chapter in the Commission's history had been closed. Denunciation of human rights violations in Chile had been a long and painful process. Democracy offered hope to Chile and to all who, since 1973, had struggled for human rights there. Chile had a long-standing democratic tradition. Fundamental freedoms had now been restored, and justice and humility had triumphed. The Commission could be proud.

CLAUDE HELLER (Mexico) said the military coup d'état which overthrew the democratically elected Allende Government had interrupted for 17 years the democratic process in Chile. It was heartening that that period had come to an end. The military dictatorship used only force during its tenure, but the people and Government of Mexico had been fully supportive of the democratic struggle of the Chilean people.

ALIOUNE SENE (Senegal) complimented Chile's efforts in reintroducing human rights instruments into Chilean democratic life.

RAYNELL ANDRYECHUK (Canada) said the up-and-down nature of the struggle for human rights demonstrated that international instruments could only effect change when put into practice. Canada was disappointed that last year the Commission had failed to adopt a resolution condemning Iraq's human rights record. Since 2 August, the world had been made more aware of Iraq's routine employment of intimidation of those it sought to control. Canada strongly condemned those acts whether their victims were Iraqis, Kuwaitis or nationals of other countries.

She said there were disturbing allegations of human rights violations in Syria, where certain members of minority communities were being detained. The human rights situation in Myanmar, China, Cuba, Tibet, the Horn of Africa, Mauritania and El Salvador provided cause for concern. Canada had never recognized the foreign annexation of Lithuania, Latvia and Estonia. Concerning Afghanistan, she called for a reduction of the supply of weapons to client groups. The Government of India should respect the human rights of all civilians in Jammu and Kashmir, Punjab and Assain. Haiti was a case which demonstrated that effective progress in human rights could be realized. There

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had been positive developments in Lebanon, Benin, Zaire, South Africa and Albania. Events in those countries needed to be followed.

GONZALO DE ACHA PRADO (Bolivia), referring to the general human rights situation in the world, regretted the large-scale military operation in the Gulf. There should be a prompt restoration of Kuwaiti independence and of peace and security in the region, he said.

Although enjoying the rule of law, Bolivia still suffered from some vicissitudes, he continued. Since the reinstitution of democracy in 1982, the Government had tried to adhere to principles of equality. There was no policy of detention or enforced disappearances in Bolivia. Those practices belonged to the past. Terrorism was a serious problem which led to the loss of many innocent lives. His Government would support any initiative of the Commission to combat terrorism. Bolivia's production of coca leaf affected the economic survival of millions, due to the lack of agricultural options. There would be attempts to create new agricultural options for coca-leaf farmers.

Rights of Reply

ALEYA ABOUL-EZZ (Egypt), responding to the International Association for Defence of Religious Freedom, said Egyptian Christians were not a religious minority and were not treated as such. Instead, they were pillars of national unity in the country. Egypt was well known for its religious tolerance, and was a refuge for those persecuted on the basis of their religion.

VANIAS MARKIDES (Cyprus), responding to the statement by Turkey, said the people of Cyprus were one and had a right to self-determination. The Greek Cypriots comprised 82 per cent of the population and the Turkish Cypriots the remaining 18 per cent. Both communities had lived in harmony before the Turkish invasion of 1974. It was imperative for Turkey to accept Security Council resolution 649 (1990), which affirmed that the Republic of Cyprus was one country. Turkey must withdraw its troops and respect the independence and territorial integrity of the Cypriot people.

IBRAHIM OMAR (Libya), replying to the International Association of Educators for World Peace, said that organization's claims were nothing new and were merely paid publicity. He advised it to search out, in future, true sources of information. Such a practice would further human rights protection. He invited the organization to visit Libya and see the situation there first-hand.

MIGUEL ALFONSO MARTINEZ (Cuba) said the International Association for World Peace was not genuinely seeking facts but attempting to slander the name of Cuba. The so-called violations of human rights were pure fabrication. There were no restrictions on emigration from Cuba. As to the case of abandoned children in Cuba, the problem was that some parents had voluntarily abandoned their children and the State was obliged to take care of them.

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DIMITRIOS ILIOPOULOS (Greece) said Turkey was attempting to shake off responsibility for its 1974 invasion of Cyprus. He would reply to the Turkish delegate's reference to Greece in his statement later.

JORGE ALANIZ (Nicaragua), replying to the Democratic Christian International, said the families of disappeared persons were kept up to date on government inquiries. Nicaragua would soon appoint a special attorney to examine any violations of human rights.

EURIPIDES KERKINOS (Greece) said the representative of Yugoslavia had mentioned a Yugoslavian minority, or a so-called "Macedonian national minority", existing on Greek territory. No such minority existed. Fanatical ethnic elements within the Yugoslavian Federation claimed otherwise. If one country should be identified with Macedonia, it was Greece.

SAMI OBAID (Iraq) said the Egyptian President, instead of trying to procure a peaceful solution to the Gulf crisis, had foiled the chances for peace in the region and prevented an Arab solution. Egypt had attempted to justify the presence of foreign troops in the region. Many Western countries were trying to justify their barbarous aggression against Iraq with their allegations.

OGUZ DEMIRALP (Turkey) said Greece had confirmed the continuation of its policy by defending the line of action pursued by the Greek Government of 1974, which came to power with a view to annexing Cyprus.

Mr. MARTINEZ (Cuba) denied that human rights had deteriorated in Cuba. Human rights activists were not persecuted, he said. Only law-breakers were subjected, as in every country, to the sanction of the law. The penitentiary authorities in Cuba respected scrupulously the rights of all inmates to the same extent as in any other country.

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United Nations

Press Release

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27 February 1991

HUMAN RIGHTS COMMISSION DISCUSSES VIOLATIONS OF HUMAN RIGHTS IN COLONIAL AND OTHER DEPENDENT TERRITORIES

Also Calls for Resolution of Problems in Latvia and Lithuania

GENEVA, 26 February (UN Information Service) -- The Commission on Human Rights this afternoon continued its debate on the question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and Territories.

Under this agenda item, the Commission is considering in open session the question of human rights in Cyprus, and the human rights situation in occupied Kuwait. The study of situations which appear to reveal a consistent pattern of gross violations of human rights takes place in closed session.

During the meeting, the Chairman of the Commission, Enrique Bernales Ballesteros (Peru), read out a declaration in which the Commission noted the positive developments taking place in the Soviet Union with regard to respect for human rights and fundamental freedoms. He expressed the Commission's grave concern over the recent tragic acts of violence which had resulted in human rights violations, including the right to life, and acknowledged with satisfaction the decision announced by the Government of the Soviet Union to investigate those events and to bring those responsible to justice. He also took note of the willingness of that Government to communicate the results of its investigation to the Commission.

Further, taking note of the unsolved human rights problems in Lithuania and Latvia, the Commission urged the competent authorities to guarantee the full enjoyment of human rights and fundamental freedoms there, without discrimination.

The Commission heard statements from representatives of Norway, the Soviet Union, Oman, Syria, Japan, Austria, Sweden, India, Venezuela, Czechoslovakia, the Sudan and Liechtenstein. The observer for the Holy See and a representative of the United Nations High Commissioner for Refugees (UNHCR) also made statements. In addition, the following non-governmental organizations participated: the Greek Orthodox Archdiocesan Council of North

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and South America, the Women's International League for Peace and Freedom, the International League for the Rights and Liberation of Peoples, and Caritas Internationalis.

Bulgaria, Cyprus, Egypt and India exercised the right of reply.

Report on Situation in Iran

REYNALDO GALINDO POHL, Special Representative on the situation of human rights in Iran, introduced his report (document E/CN.4/1991/35), and said he had made two visits to Iran, the second being "much more encouraging" than the first. He said the Iranian Government was fulfilling its promise to respond to requests for information. The Government had also agreed to visits by the International Committee of the Red Cross (ICRC), but no such visits had yet taken place. He noted, however, that executions continued to take place. Iranian radio announcements mentioned punishment such as stoning and amputation. There had been violations of the freedoms of expression and association and the persecution of Evangelical Christians. There were also reports of violations carried out against the Iranian Baha'i community. He recommended that the Commission continue its supervision of the human rights situation in Iran.

Report on Summary or Arbitrary Executions

AMOS WAKO, Special Rapporteur on Summary or Arbitrary Executions, also introduced his report this afternoon (document E/CN.4/1991/36). He said the phenomenon of summary or arbitrary executions had been particularly troubling during the year under review. Increasingly, defenders of human rights were subject to threats against their lives for their activities. These were no idle threats: in many cases, they were carried out. He said he was particularly disturbed by the alarming increase in reports of deaths of persons in custody, both in administrative detention, that is to say, detention without charge or trial, and in imprisonment. One area in which much needed to be done was that of situations of internal conflict. During 1990, the number of lives lost through extrajudicial killings in situations of internal conflict was very high. Such situations had risen to the level of civil war, during which time international organs were unable effectively to act given the vacuum of governmental authority.

Statements in Debate

MICHEL MOUSSALLI, of the Office of the United Nations High Commissioner for Refugees (UNHCR), said the refugee problem affected States because it affected the individual. The human suffering of millions was the basic aspect of the problem, though it was necessary to emphasize the effects of massive refugee flows on international peace and security, as well as obligations of States to co-operate to prevent future massive flows. A refugee was a person whose basic right to the freedom of movement had been violated. Countries of origin had a responsibility not to exile their citizens and that required closer examination by the international community. The Commission should also look closely at the content of the right to a nationality. Statelessness was

a factor in most refugee situations. There were 15 million refugees today in the world and half of them were children. The UNHCR provided advice to Governments as to the framing of legal rules in accordance with refugee law principles. In that, there was room for greater collaboration between UNHCR, the Human Rights Commission and the United Nations Centre for Human Rights.

HAAKON B. HJELDE (Norway) spoke of human rights violations in many parts of the world. He said the gross and consistent violations committed by Iraq had been clearly and unequivocally documented by the international community. Iraq's callous use of chemical warfare against its own Kurdish population would never be forgotten. The naked aggression against Kuwait had added more atrocities to the list of Iraqi crimes against humanity. The human rights situation in Iran remained a cause of concern to the international community. In Myanmar, severe repression of political activity and dissents persisted; the Norwegian delegation appealed to the Government of Myanmar to release leaders and members of authorized opposition parties, students and monks. In China, internationally recognized human rights were still restricted, among them freedom of speech and self-expression; Norway encouraged the Chinese Government to take further concrete steps in accordance with international human rights standards. In Sri Lanka, the human rights situation in the north and east remained precarious; the most recent upsurge in the armed conflict was regrettable. In South Africa, the promises of the Government must be fulfilled in concrete terms before violations of human rights in that country could be removed from the international agenda. He referred also to the situations in northern Ethiopia, including Eritrea and Tigray, in the southern Sudan, in Mauritania and in El Salvador. He said that in South America the human rights situation had improved in several countries during the last few years, but in some countries, Perus being the major one, there were still causes for concern.

YOURI KOLOSSOV (Soviet Union) said investigations into the violent events in Lithuania and Latvia had been initiated, and the Commission would be duly informed of their outcome. The Government of the Soviet Union had noted the concern expressed by some delegations regarding those events. The Government would do all possible to respect human rights and fundamental freedoms.

ABDULLA ALFARSY (Oman) said the Iraqi invasion of 2 August had erased all the sentiments of brotherhood and good neighbourliness between brother Muslim States. The news that the Iraqi President had decided to withdraw his troops from Kuwait and that Kuwait was not a part of Iraq was a positive development which indicated a fundamental change in attitude. It was hoped that peace would soon be restored to the region and that all States would respect the territorial integrity of their neighbours.

AHMED FATHI MASRI (Syria) said Israel's occupation of southern Lebanon had confirmed its expansionist ambitions. By refusing to comply with the international code, Israel had continued to destroy the socio-economic structure of the region and to displace people. Israel had so far prevented ICRC from visiting detainees. The Commission should call on Israel to fulfil

its international obligations and to withdraw. As Syria was against the occupation of Kuwait by Iraq, and also supported the independence, sovereignty, unity and non-aligned status of Cyprus.

JUSTO MULLOR, observer for the Holy See, welcomed the developments in Eastern Europe and the Soviet Union which had permitted cordial and friendly relations with the Holy See. The collapse of the Berlin Wall signalled the beginning of a new era for the entire world, and was a privileged moment for the promotion of human rights. The Gulf war and the disturbances in the Baltic States were two worrying developments. The Holy See hoped that the war would be ended soon, since violence was always a source of new violence. In the Baltic states, it was essential that human rights form the basis for the construction of a more just and brotherly future.

ELIAS BETZIOS, of the Greek Orthodox Archdiocesan Council of North and South America, said the Commission had called upon the Government of Albania to provide information in compliance with the provision of the Universal Declaration of Human Rights and to respond to specific allegations. The regrettable conclusion was that the Government of Albania had failed to satisfy that request. The Albanian regime had attempted to mislead international public opinion by making unsubstantiated promises concerning democratic reforms. The Commission should consider appointing a small group to observe the recently announced elections in that country. In Cyprus, the basic human rights and fundamental freedoms of the Greek Cypriots continued to be systematically and gravely violated. The international community and the Secretary-General should do their utmost to find a solution to the problem.

HANNAH WU, of the Women's International League for Peace and Freedom, expressed deep concern about the gross and persistent violations of human rights in some Central American and Asian countries, where armed conflicts had created severe disruption of people's lives, and where the problems faced by women were especially. It was to be hoped that negotiations under way between the Government in El Salvador and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) would result in an end to hostilities. Women in Guatemala, particularly indigenous women, had in the last three decades suffered from the deliberate policy of sterilization. In the Philippines, the number of internal refugees was rapidly growing, and the relentless militarization of the countryside had made women particularly vulnerable to human rights abuses. In Sri Lanka, women had been killed as a result of State violence and non-State armed groups.

ADOLFO PEREZ ESQUIVEL, of the International League for the Rights and Liberation of Peoples, said many people in Latin America had been subjected to military dictatorships. The practice of enforced disappearances, abductions, detention and assassinations was widespread. Although the process of democratization was under way, it was so far in form rather than fact. The crimes committed during the military regimes had remained unpunished. It was impossible to build democracy on impunity. States had the responsibility of punishing the authors of crimes to thereby ensure the respect of human rights and fundamental freedoms.

MARY TOM, of the Caritas Internationalis, said that although the critical situation in the Gulf was uppermost in everyone's mind, one could not overlook the plight of thousands of persons in many parts of the world whose rights were not guaranteed. Those people were internally displaced persons. The problem was not restricted to any one area of the world; it often concerned religious and ethnic minority groups in developing countries. Over the last few years, some mechanisms had been set up and tribute should be paid to those Governments, agencies and individuals that had made an effort to address the problem.

KATSUMI SEZAKI (Japan) expressed deep concern over the violation of human rights by Iraqi authorities in Kuwait. He said people in Myanmar, Sri Lanka, Iran, China, Afghanistan, Cyprus, Cuba, El Salvador and Guatemala had been victims of human rights violations and the Governments of those countries should continue their efforts at improving the situation. On the Baltic Republics, he said Japan could not approve of the use of military force, and strongly hoped that the situation would be settled in a democratic and peaceful manner. The Soviet decision to carry out an investigation of the events and to punish those responsible for the violations was welcomed.

NIKOLAUS SCHERK (Austria) said he welcomed the positive steps taken by the Government of Iran, however, but Austria remained concerned about human rights violations in that country as reported by the Special Representative. The indiscriminate warfare waged by both sides of the conflict in Afghanistan, as well as human rights violations in the country, were cause for deep concern; the key to ensuring respect for human rights there was a political solution to the armed conflict. The authorities in Myanmar should respect the will of the people, as expressed in last year's elections. As for Cambodia, Austria was deeply concerned about the continued bloodshed and precarious human rights situation. In China, there had been a large number of recent indictments and harsh sentences against participants in the democracy movement. He expressed continuing concern over the human rights situation in El Salvador, Guatemala, Haiti and Cuba. He said the situation of human rights in Cyprus had not shown any progress since last year.

JAN ROMARE (Sweden) welcomed the decision of the Soviet Government to investigate and to punish those responsible of the recent events in Latvia and Lithuania as being a constructive attitude. In Romania, the implementation of certain fundamental human rights was still encountering conditions which could be improved only gradually. There had been human rights violations in Guatemala, Afghanistan, El Salvador, Iran, Iraq, Syria and the Israeli occupied territories. Extrajudicial executions, illegal arrests, unacceptable prison conditions and harassment of various types were recurrent features in a number of African countries. In Iraq, torture and massive relocations of the Kurdish population were flagrant examples of atrocities committed by the Iraqi Government.

PRABHU DAYAL (India) said the partition of any country was always a tragic event, with great human suffering caused by the displacement and separation of individuals, families and communities, and by dispossession and destruction of property. Cypriots had suffered the cruel fate of being made

refugees in their own land. The non-aligned countries had repeatedly reaffirmed their solidarity and support for the people and Government of Cyprus and urged the United Nations Secretary-General to continue his mission of good offices. Sustained and substantial dialogue and intercommunal talks were the only way of reaching a just solution by peaceful means.

MARCO TULIO (Venezuela) said international law could be effective only when respected by all. The protection of human rights was also closely related to democracy. Human rights were better respected when an autonomous judicial body exercised its duties, when a democratically elected Parliament debated public opinions, and when there existed an alternation of political power. In Latin America, the human rights situation gave some reason for hope, but was at the same time difficult. There had been democratic changes, but the problems of debt, drug trafficking and terrorism had made the situation difficult. Venezuela was much concerned about the human rights situations in Haiti and El Salvador.

JURAJ KRALIK (Czechoslovakia) said a democratic revolution in his country had created a new "social and moral space" after the collapse of an outworn dogma. The country's Parliament had adopted a constitutional law which endorsed a document of basic rights and freedoms. The Minister of Foreign Affairs had signed the European Agreement on Human Rights. The President had signed an agreement on acceptance of the Optional Protocol to the International Covenant on Civil and Political Rights. The Government had condemned the use of military force against legal organs of State power and against civilian populations in the Baltic countries.

OMAR DAHAB (Sudan) said that despite the international condemnation of Israel and call for its withdrawal from southern Lebanon, Israel had continued to violate human rights and fundamental freedoms in that country. The Palestinian and Syrian territories also remained in the hands of Israel. The tragic Gulf crisis which had caused deaths among the civilian population should be solved diplomatically together with the other conflicts in the region.

CLAUDIA FRITSCHE (Liechtenstein) said that before becoming the 160th Member State of the United Nations last year, Liechtenstein had declared its commitment to fulfil the obligations contained in the United Nations Charter. The Liechtenstein Government deeply regretted the deployment of force in Lithuania and Latvia. It recognized the need to eradicate apartheid and welcomed the announcement that the cornerstones of the apartheid policy, namely the Land Act, the Group Areas Act and the Development of Black Communities Act, would soon be removed. Liechtenstein felt a bond with the people of Kuwait, sharing the feeling of outrage at the injustices inflicted upon them. Iraq's aggression had been a painful reminder for small States that they were very vulnerable to assaults on their sovereignty and territorial integrity, and that they needed the United Nations to safeguard their interests.

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Rights of Reply

DOBRI DOBREV (Bulgaria) said that in Bulgaria there was no Macedonian minority. Bulgaria remained firm in its hopes to have good relations with its neighbours, including Yugoslavia.

VANIAS MARKIDES (Cyprus) said Turkey ignored the fact that it had invaded Cyprus and continued to occupy 40 per cent of the country. Turkey had also attempted to artificially distort the demographic composition of the island of Cyprus. Turkey's army maintained the division of the island; Nicosia was the only divided capital in Europe. Turkey should comply with the Security Council's resolutions.

NABIL ELARABY (Egypt), referring to the Iraqi statement this morning, said Egypt had emphasized the need to respect United Nations resolutions and international law. How could Iraq call for respect for international law while it occupied Kuwait? Egypt had made all efforts, along with the international community, but Iraq had shown intransigence in its failure to comply with the United Nations resolutions.

KAPIL SIBAL (India) said that in her reference to Jammu and Kashmir, the Canadian delegate had expressed concern and called for human rights of civilians to be treated with respect. The Indian security forces had been instructed to act with restraint. Cases of civilian injured were the result of events orchestrated from outside India's borders.

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United Nations

Press Release

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27 February 1991

HUMAN RIGHTS COMMISSION HEARS SEVEN MORE STATEMENTS IN CONTINUED DEBATE ON HUMAN RIGHTS VIOLATIONS WORLD-WIDE

GENEVA, 27 February (UN Information Service) -- The Commission on Human Rights this morning continued its debate on the question of the violation of human rights and fundamental freedoms in any part of the world, hearing statements from the representatives of the Gambia, El Salvador, Panama, Switzerland, Senegal, Luxembourg and Iraq.

The Commission meets again this afternoon to continue its debate on this item, and is also scheduled to examine the question of human rights and scientific and technological developments, the status of the Convention of the Right of the Child and the Declaration on the Elimination of Religious Discrimination.

Statements in Debate

JAINABA JOHM (Gambia) said those most gravely affected by human rights violations in developing countries were women and children. Women made up two thirds of the world's workforce, yet they worked for less than one tenth of the world's salaries and owned less than 1 per cent of the world's wealth. The Commission should address that issue. The Gambia was proud that the Commission on Human and Peoples' Rights, opened in co-operation with the Organization of African Unity (OAU), was located in its capital city of Banjul. He said the Gambia been the site of various important conferences on human rights. The Gambia had denounced the invasion of Kuwait, which was a gross violation on the part of Iraq of that country's right to self-determination.

CARLOS MENDOZA (El Salvador) said he wished to reiterate his Government's readiness to bring about peace and reconciliation through constructive dialogue and negotiation in the country. El Salvador had witnessed positive developments in its search for social harmony. The Frente Farabundo Marti para la Liberacion Nacional (FMLN) should respect the various regional agreements, and refrain from impeding the elections of 10 March. The FMLN should show its political will through the declaration of a cease-fire. The democratization process reinforced the civil authority in the country. The

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report of the Special Representative noted that the number of violations had decreased in 1990 in comparison with 1989. It was regrettable that the Special Representative had not made any recommendations on the upcoming elections.

RICARDO BOFILL (Panama) said the Cuban Government was responsible for extensive breaches of civil, political, cultural and religious freedoms, and for attacks on the rights to life. Neo-Stalinism, the basis of Cuba's political system, took as its cornerstone the practice of institutionalized atrocities. That police-State was resistant to democracy. Fidel Castro, who denied democracy to Cuba, had said he would rather see Cuba sink into the sea than change the political system. He was crushing the dissident human rights activist population "like cockroaches".

JEAN-DANIEL VIGNY (Switzerland) said a State should respect international law in order to be at peace with itself and its neighbours. Human rights should be respected in times of peace and of war. In cases of armed conflict the international humanitarian laws, particularly those embodied in the Geneva Convention and its Protocols of 1977, should be respected. All the belligerents in the Gulf should allow the International Committee of the Red Cross (ICRC) to act on behalf of the civilian and military victims.

ALIOUNE SENE (Senegal) said only a restoration of peace could ensure human rights and fundamental freedoms for the peoples of the Gulf, now that Kuwait had been liberated. While Senegal had never accepted the linkage between the liberation of Kuwait and a solution of the Palestinian problem, solutions should nevertheless be found, with recognition of the inalienable right of peoples to self-determination. The Commission could not remain insensitive to the effects of the bombardments, the SCUD missile attacks and the massive destruction cause by the war. There should now be a dialogue and reconciliation between peoples, which was a condition for the promotion of human rights and fundamental freedoms, peace and development.

JULIEN ALEX (Luxembourg), for the European Community, said the protection of human rights and fundamental freedoms should not be considered as the domestic affairs of a State. He said the reunification of Germany last year was welcomed, and also during the past year, there had been progress on human rights in Central an Eastern Europe, as well as in Haiti and Namibia. The Community was concerned about human rights violations in Iraq and against the population of Kuwait. It had learned with regret of the gravity of Iraq's military aggression and its illegal occupation of Kuwait, as well as of the atrocities committed by Iraqi authorities. Human rights violations for the Iraqi regime against the Kurds had not decreased, despite the calls of the United Nations. The Commission should appoint a special rapporteur on Iraq.

ABDUL AL-KADHI (Iraq) said Iraq was well aware of its obligations and was happy to lay claim to a long-standing human rights tradition. The eight-year war with Iran had caused Iraq's resources to be concentrated more on its defence and sovereignty and less on human rights. In the post-war phase, all aspects of society had to be re-examined. Human rights laws were a focus of that re-examination. New legislation on freedom of the press and a

multi-party system as the foundation of a democratic institution were in progress. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had been invited to visit Iraq in February 1990. However, the Western countries had constituted an obstacle to an improved human rights situation in Iraq. No community was discriminated against in Iraq. The Kurdish people enjoyed full civil and political rights. There were magazines, newspapers, television and radio stations in the Kurdish language. But some Kurds had been involved in anti-State activities instigated from abroad. The United States, the United Kingdom and France had acted in defiance of the United Nations when they launched the ground offensive while the Security Council was discussing proposals for peace. The war showed that should a third world country overstep its boundaries, the developed world would step in to control them and dominate them.

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HUMAN RIGHTS COMMISSION CONCLUDES DEBATE ON WORLD-WIDE VIOLATIONS

Decides to Give High Priority to Situation in Cyprus at Next Session

GENEVA, 27 February (UN Information Service) -- The Commission on Human Rights this evening concluded its general debate on the question of the violations of human rights in any part of the world and took up the examination of the question of human rights and scientific and technological development. The Commission also began its debate on children's rights.

On a proposal from its Chairman, Enrique Bernales Ballesteros (Peru), the Commission decided by consensus, and in conformity with past practice, to defer consideration of the question of human rights in Cyprus to its next session, when the issue would be examined with high priority. In the meantime, the calls for action on the relevant Commission resolutions would stand, including the request to the Secretary-General to submit a report on their implementation. Turkey asked that its reservations on previous decisions of the Commission be included in the report.

Jan Martenson, Under-Secretary-General for Human Rights, introduced the question of human rights and scientific technological developments. He said he hoped the debate on the issue could contribute to the adoption of new measures to prevent the negative consequences of scientific and technological progress.

On the question of children's rights, Kojo Nyamekye, Deputy Director of the Centre for Human Rights, said that progress on protecting the rights of the child and eliminating the abuses to which they became victims was one of the most important challenges facing the Organization. Mr. Nyamekye announced that the committee that would monitor the implementation of the Convention of the Rights of the Child had been elected yesterday.

Introducing the report of the open-ended Working Group on the principles for the protection of the mentally ill, its Chairman/Rapporteur, Henry Steel (United Kingdom), said the Working Group had attracted participation from a wide range of Governments. It had frequently reminded itself that it was drafting not only for wealthy countries with highly developed systems of

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medical and mental health services, but for poor countries as well, with their often rudimentary medical services.

The Vice-Minister for Foreign Affairs of Afghanistan addressed the Commission on the violation of human rights and fundamental freedom in any part of the world. Also speaking on this item were representatives of: China, Byelorussia, Turkey, Bulgaria, Myanmar, Greece, Iran, the International Work Group for Indigenous Affairs, the International Falcon Movement, the Union of Arab Jurists, the World Conference on Religion and Peace, the International Movement for Fraternal Union Among Races and Peoples, the International Peace Bureau and the International Organization for the Elimination of All Froms of Racial Discrimination.

Speaking on human rights and scientific and technological developments were representatives of: Ukraine, Bangladesh, Yugoslavia, Soviet Union, United Kingdom, Australia, United States, Austria, Italy, Peru, Philippines, Tunisia, the Disabled Peoples' International, the International Fellowship of Reconciliation, the World Movement of Mothers, the International Indian Treaty Council, the Grand Council of the Crees, the Minority Rights Group, the International Federation of Human Rights, Friends of the Earth, the International Educational Development Inc., the World Federation for Mental Health, the World Confederation on Religion and Peace, the International League for Human Rights, the International Association of Penal Law and the Four Directions Council.

On children's rights there were statements from representatives of: Australia, Canada, Austria, Portugal, Soviet Union, the International Abolitionist Federation, Defence for Children International, the Save the Children Alliance and the International Catholic Child Bureau.

The Sudan, Albania, the Philippines, Viet Nam, Cuba, Yugoslavia, Myanmar, Indonesia, Iran, the Democratic People's Republic of Korea, Rwanda, Mauritania, Greece and Turkey exercised the right of reply.

Statements in Debate

WANG XUEXIAN (China) said attacks on the Chinese judiciary for the trial of the lawbreakers involved in the turmoil of 1989 in Beijing served to shield those who attempted to destroy the socialist system which was provided for in the Chinese Constitution. The Chinese judiciary had never subjected peaceful demonstrators to arbitrary arrests, detentions or trials, as alleged by some. Only a handful of criminals had been arrested. They had been engaged in anti-Government unrest and as such had violated the Constitution. China forbade the practice of obtaining confession by compulsion. Every step of the trials had been conducted in strict compliance with the law. China's policy was always to combine punishment with leniency. Education was the principal method of handling minor offenders. Most of those who had broken the law during the 1989 turmoil had been released or were exempted from punishment. Only a few were sentenced to fixed-term imprisonment. The trials had been witnessed by several hundred people. These were normal affairs which fell squarely into the scope of Chinese judicial sovereignty. No foreign

country, international organization or individual had any right whatsoever to interfere in China's internal affairs.

STANISLAV OGURTSOV (Byelorussia) said that in view of the general improvement in the international climate now that more and more conflicts were being solved peacefully, it was necessary to increase the budget for the activities in the field of human rights. Byelorussia was happy to see the progress that had been made in South Africa and Chile and also wished to see a solution to the Cyprus question. The pan-European movement offered new horizons in terms of international co-operation in human rights. Byelorussia was suffering a true tragedy following the Chernobyl catastrophe. More than 27 per cent of the land had been polluted and 20 per cent of the population lived in contaminated areas. Byelorussian politicians had asked for help, both material and moral, from their foreign counterparts. Byelorussia worked to see 26 April proclaimed as a day for victims of nuclear and industrial catastrophes.

DAUD KAWYAN, Vice Minister for Foreign Affairs of Afghanistan, said that in recent years, Afghanistan had endeavoured to take a more active part in the international activities for the realization of human rights. In accordance with its democratic philosophy and humanitarian policy, it had showed its good will and sincere desire to co-operate on human rights. In its legal and judicial principles, full respect was given to individual freedom. The assessment of the state of human rights in a country could not give a precise picture of the prevalent general situation in that country. War was going on in Afghanistan but the State endeavoured to ensure individual rights and freedom. The news regarding kidnapping of four delegates from the International Committee of the Red Cross (ICRC) by armed extremist opposition groups in Afghanistan was regettable.

CEM DUNA (Turkey) said the Turkish Muslim minority in western Thrace, Greece, had always expected to be treated in its ancestral land as equal to other Greek citizens. That was still an expectation. The positive human rights developments in Europe were yet to reach western Thrace, where the freedom of expression of that minority was severely restricted by the Greek authorities. He said international awareness regarding the rights of the Turkish Muslim minority in western Thrace was increasing.

DOBRI DOBREV (Bulgaria) said his country had a reformed penal code, which was now in line with international standards. Freedoms of the press and expression, as well as the right to public gatherings, were recognized. Now that Bulgaria was constructing a parliamentary democracy, it was vital that the country receive support from the international community. Aid was necessary not only to help the democratic process but also to ease the deep financial crisis. Bulgaria would continue to co-operate with all countries to see the triumph of human rights.

AUNG THANT (Myanmar) said Myanmar had been endeavouring to reintroduce the political system on the basis of multi-party democracy and market-oriented economy. At least 20 new laws had been promulgated to give practical effect to the newly adopted market-oriented economy. The Government had co-operated

within the framework of the United Nations human rights mechanism. All communications and complaints received through the United Nations Centre for Human Rights had been answered. The torture of detainees and the inhuman and cruel treatment of prisoners were unknown to Myanmar and there were no political prisoners in Myanmar. It was regrettable that individuals connected with certain illegal groups had acted against the Governments of Member States and were attending the Commission.

EURIPIDES P. KERKINOS (Greece) said Cyprus was an independent, sovereign, democratic and non-aligned Member of the United Nations which was still occupied territory. The gross and massive violations of human rights and fundamental freedoms against the Cyprios people had continued for 17 years. The occupying force remained unperturbed and bold, without the slightest faint of goodwill. Instead, Turkey was ferrying in settlers to whom the so-called citizenship of the illegal entity in the northern part of Cyprus was easily granted in order to change the demographic composition of the country.

PETER LINBIN, of the International Work Group for Indigenous Affairs, said he was secretary of the National League for Democracy of Burma and had been elected to Parliament. Nine months after the elections, however, neither he nor his colleagues from the opposition alliance, which had won 82 per cent of the contested seats, had been able to take up their seats. The military régime, the State Law and Order Restoration Council, had refused to respect the wishes of the people of Burma and hand over power to its elected representatives. Over 4,000 people were in prison for political reasons. Many, as widely documented by diplomats and human rights organizations, had been subjected to torture. Buddhist monks and other people demanding the transfer of power to elected representatives had been brutally suppressed. There were now over 400 monks in prison.

M.R. ALBORZI (Iran) said the question of human rights in Iran had surfaced in the Commission some years ago during a period when Iran faced numerous difficulties. That was no longer the case; the administration enjoyed much experience, and many persons with expertise were involved in running the State, including the judicial system. The Special Representative had pointed to some shortcomings; it must be realized, though, that his was a totally new exercise with no past history in Iran. There was nothing in Iran that could be considered as routine and systematic violation of human rights. Iran was ready to continue its close co-operation with the United Nations in the field of human rights in an appropriate manner.

MASOUD BANISADR, of the International Falcon Movement, said the 637 executions officially announced by Iran in the past year alone were the equivalent to the total number of executions publicly reported around the world. Regrettably, the adoption of a mild resolution at the last session of the United Nations General Assembly could not lessen those executions. Public hanging, stoning and beheading in public stemmed from the need of the regime to create an atmosphere of fear in the country to suppress any protest. The head of the Supreme Court had officially announced that torture of prisoners to obtain information was justified.

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ELIAS KHOURI, of the Union of Arab Jurists, said the United States had indiscriminately bombed Iraq in an attempt to cause the capitulation of Iraq and its leaders. Any attempt to destroy a people and its country was an act of genocide. Israel, supported by the United States, was equally guilty of atrocious acts against the Palestinian people. A possible peaceful solution to the Gulf crisis had been lost due to American intransigence. It was well known that the true objective of the war was not to liberate Kuwait but to humiliate Iraq and the Arab nations. That destructive war was contrary to the right of people to self-determination, since the allied belligerents were attempting to redraw the map of the region.

REWATA DHAMMA, of the World Conference on Religion and Peace, said events in Burma were a great discredit to the teachings of the Buddha and brought great shame on Buddhist communities world-wide. Since the elections, the monks had come to the fore in calling on the military to follow the clearly expressed will of the people and hand over power to their elected representatives. Buddhist monks in Burma had always been accorded the greatest respect, since they represented the principal purpose of life according to the Buddhist tradition.

C.M. EYA-NCHAMA, of the International Movement for Fraternal Union Among Races and Peoples, expressed concern over United Nations personnel who had disappeared in Ethiopia and called for their immediate release. He said nine United Nations agency personnel had been expelled from Mauritania in 1988-1989, while in Somalia and in Uganda international civil servants had been subjected to various human rights restrictions. In Liberia, the very right to life of civilians was threatened. In Mali, the situation was "simply catastrophic". The Chadian people lived in constant upheavals as power struggles destroyed the country's infrastructure. Foreign Powers with interests in Chad were also involved in the conflict.

ORETTA BANDETTINI DI POGGIO, of the International Peace Bureau, said the armed conflict in Sri Lanka had significantly affected human rights. The Government had continued to arrest and detain people under emergency laws. Indonesia, in defiance of the international conventions on the protection of minorities, had continued to violate the rights of the people of East Timor.

HUSSEIN RAIANI, of the International Organization for the Elimination of All Forms of Racial Discrimination, said Ethiopia was a stark example of a régime that did not respect human rights. In Latin America, the human rights situation in Cuba was worrying, while in the Arab world, one half of the countries were governed by military dictatorships and the other half by feudal monarchs. Those two forms of Government shared one common characteristic: contempt for the principles of human rights. Human rights violations also persisted in North Korea and China.

Human Rights and Scientific and Technological Developments

The question of human rights and scientific and technological developments has been on the Commission's agenda for several years. In a resolution adopted last year, the Commission invited the United Nations

University to submit the final report of its study on this matter. The final report on the effect of such developments on the promotion and protection of human rights is before the Commission in a note from the Secretary General (document E/CN.4/1991/38).

On the movement and dumping of toxic and dangerous products and waste, the Executive Director of the United Nations Environment Programme (UNEP) has said that African countries had taken up, within their response machinery, the question of a draft convention on the control of transboundary movements of hazardous wastes. The Executive Director had met with the Secretary-General of the Organization of African Unity (OAU), to determine how UNEP could help OAU in that area. The Human Rights Commission requested the Secretary-General to submit a report on the negotiations between UNEP and OAU. This report is contained in document E/CN.4/Sub.2/1990/7.

As for human rights and the environment, the General Assembly last year, in resolution 45/94 entitled "Need to ensure a healthy environment for the well-being of individuals", encouraged the Commission to continue studying the problems of the environment in its relation to human rights. The Commission adopted resolution 1990/41 requested the Secretary-General to transmit this resolution to the Preparatory Committee of the United Nations Conference on Environment and Development and to keep the Commission duly informed. A study on the matter (document E/CN.4/Sub.2/1990/12) is before the Commission, as is the report of a working group on guidelines, principles and guarantees for the protection of mentally ill persons (document E/CN.4/1991/39).

Statements Made

VLADIMIR VASILENKO (Ukraine) said that as the world had entered the rapid technological age and ignored natural laws of cleansing and renewal, threats to the right to a healthy environment had arisen. There was an urgent need for protection of that inalienable human right. Legislation was needed to counter those new threats and the national and international levels. The Ukraine had embarked on the adoption of legal guarantees and decrees aimed at protecting ecological human rights. Agricultural products with high levels of dangerous materials had been made illegal. Escaped radiation, the pollution of the soil, water and air and other ecological hazards were required to be reported in the press. Those who breached the laws were subject to the penal process. The new Ukrainian Constitution also provided a codified legal framework aimed at integrating ecological human rights with the more established forms of human rights.

MUHAMMOD ZAMIR (Bangladesh) said there was growing concern on the part of many people about the risks of embryonic research, organ transplant and genetic experimentation. In the realm of medicine and biotechnology, the question arose as to whether morality and positive law were adequate to ensure the proper use of technology involving experimentation on the human body, or whether new rules were called for. The unprecedented acceleration of knowledge and technology applied to the life sciences required each individual, and society as a whole, to assume responsibility for the preservation of human rights. The subject of dangerous toxic waste and the

selling of expired pharmaceutical products were of great concern to all, particularly to the developing countries.

ZAGORKA ILIC (Yugoslavia) was satisfied with the United Nations University's report and its recommendations. It was a research project on the interrelationship between human rights and advances in science and technology, focusing on the interaction between socio-cultural, economic and political factors on the one hand and scientific advances on the other. The recommendations made it clear that there was room for the guiding and channelling of technology in order to make it an instrument of human rights in the developing world. There was clearly an immense amount of research topics awaiting attention.

TEIMOURAZ RAMISHVILI (Soviet Union) said the Working Group report on the mentally ill was propitious, bearing in mind the importance of adopting a body of principles to provide guidelines on the practices of mental health care. In the Soviet Union there had been many abuses in the past; healthy people had been treated as mentally ill and subjected to psychiatric treatment and abuse. That practice was now punishable by adequate penal measures in accordance with new Soviet legislation. Advances in science and technology had permitted far-reaching advances in many techniques, such as organ transplants and the use of laser therapy. During times of scientific advances, it was imperative to ensure that there were adequate legal mechanisms to ensure the full respect of human rights.

DAVID CAMPBELL (United Kingdom) said it was particularly gratifying to have in the Working Group members from all parts of the world, representing countries with very different medical systems and legal traditions. The Group had also benefited greatly from the active participation of non-governmental organizations which had been able to ensure that practical considerations and concerns were at the forefront of discussions. Persons with mental illness required special protection and yet their needs had not always received the attention they deserved, whether at the national or the international levels.

BRIAN BURDEKIN (Australia) said many disadvantaged groups stood to benefit from the adoption of specific rights outlined in minimum standards if they were implemented at the national level. The Principles for the protection of the mentally ill, recognized the right of all persons to the best available mental health care. The mentally ill required protection from exploitation, abuse and degrading treatment. The Principles confirmed the entitlement of people with a mental illness to enjoy basic human rights in common with all other persons. The stigma of mental illness remained a serious form of discrimination which occurred on a wide scale. Perhaps that could be attributed to a lack of public awareness.

KAREN PARKER, of the Disabled Peoples' International, said the draft Body of Principles had a number of especially valuable provisions to assist Governments in improving the situation and rights of persons with mental illness. Disabled Peoples International had a strong preference for non-institutional settings for treating mental illness. It also placed great importance on the requirement of informed consent prior to treatment. Treatment provided with the full co-operation of the person with mental

illness was far more successful than treatment given involuntarily. Requiring informed consent was also essential to protect the dignity of the person.

RENE WADLOW, of the International Fellowship of Reconciliation, noted that nature was seriously threatened everywhere in the world. Those threats came from various sources, such as war, ill-treatment of resources and various accidental environmental disasters. The upcoming Conference on Development and the Environment in 1992 should be the occasion to redouble efforts to protect the environment and safeguard human rights.

MARIE-LAURE BECK, of the World Movement of Mothers, said some medical circles practised a technique that denied the right to life of a conceived baby under the pretext of impeding the growth of a so-called "mongoloid". Medical doctors were trained to save and help those who were in bad situations through the use of scientific know-how, not to kill. Mentally ill or handicapped peoples were brothers and sisters, even if their presence would disturb some. No one had the right to deprive others of this right to exist.

KAWAIPUNA PREJEAN, of the International Indian Treaty Council, said indiscriminate military training in Hawaii had destroyed the right to a decent life there. Target practice was destroying the wildlife and disrupting human life. Those islands had been illegally taken by the United States from the native peoples; now military activity was ruining the islands. In Nevada, Indians had endured over 700 nuclear tests, and Australia's aborigines still suffered from the atomic tests of the past.

BEATRIZ AHIABA, of the Grand Council of the Crees, said indigenous peoples had a special understanding of the relationship between human rights and the environment. For most of the indigenous peoples of the so-called "new world", there was a direct relationship between the abuse of their human rights and the degradation of the environment in which they lived. Next year many States would celebrate what they referred to as the "discovery of the new world". For the indigenous peoples, that marked the beginning of the destruction of the environment of the western hemisphere and the beginning of the genocide of their peoples.

ANNE-CHRISTINE BLOCH, of the Minority Rights Group, said the three great island groups of Melanesia, Micronesia and Polynesia were perceived by outside powers as ideal for the testing, storing and disposal of long-range missiles and weapons of mass destruction. That was degrading the Pacific environment, destroying Pacific peoples' health and undermining their most basic human right: the right to life. The region had become the main testing ground for the new nuclear weapons of the United States, the United Kingdom and France. Growth retardation among young children, premature aging among the old, incidence of physical and mental deformity had all been increasing over the years.

CHRISTIAN GROSSE, of the International Federation of Human Rights, said the specific situation of Myanamar showed how a broad range of human rights could be affected by ecological problems. The old regime had begun to sell

off the forest to foreign interests. That would alter the climate and force villagers to become refugees. The questions raised were those of the traditional claims of indigenous people's to the soil and its resources.

KAREN PARKER, of Friends of the Earth International, said environmental problems occurred throughout the world and that those problems should be approached from an economic, social and cultural point of view, taking into account their human dimension. While many international bodies, including within the United Nations, were addressing aspects of the environmental problem, only the Sub-Commission and the Commission were qualified within the United Nations system to address environmental problems from a human rights point of view.

TATIANA MATVEEVA, of the International Educational Development Inc., said civil, political, economic, social and cultural rights had environmental dimensions. When waterways got polluted, or logging destroyed forests, then the wildlife essential to indigenous peoples was affected. Persons fleeing armed conflict or natural disasters became humanitarian refugees. It was urgent to take international action regarding "environmental refugees". There appeared to be little interest in human rights in the planning of the 1992 United Nations Conference on Environment and Development. That might lead the Conference to fall short of its goals.

DOUGLAS DEANE, of the World Federation for Mental Health, said that although there was no doubt that some improvements could be made in the text of the draft Body of Principles on the protection of the mentally ill, the document was an important landmark in the history of the long struggle against abuse of the mentally ill. Hundreds of millions of people were affected by mental disorders. They, their families and communities suffered from unnecessary pain, disability and prejudice. Many of those people could be successfully treated and rehabilitated.

THOMAS MICHAEL BAIER (Austria) said mentally ill and mentally handicapped persons were especially vulnerable. They required a high degree of legal protection and medical care. The need for a clear definition of their rights on the international as well as on the national level had become increasingly evident. That was important in view of recent scientific, technological and social developments which, although having created better conditions of life, could also give rise to problems. The Principles were intended to serve as a guide to Governments and to all governmental and non-governmental bodies which played a role in national standard-setting in the field of mental health care.

JOHN CROOK (United States) said the work of the Working Group on principles for the protection of the mentally ill had began when certain countries misused psychiatry and practised forced detention in mental health facilities. It was hoped that the ongoing processes of reform in many countries would ensure that these abuses did not recur. Persons with mental illness were vulnerable to the denial of liberty and other fundamental freedoms. The principles were a constructive response to a human rights problem which stemmed from scientific and technological development. However, the term "human rights" should not be distorted to cover other topical issues which did not involve human rights. Proclaiming a "right" to environmental

quality was a political gesture. The United States was committed to the protection of the environment, but this forum was not the United Nations commission on the environment.

FRANCESCO MEZZALAMA (Italy) said that with respect of some of the draft Principles, Italy felt that certain items required further comment. The report correctly recommended a critical attitude to scientific and technological progress to prevent abuse of professional ethics and to ensure the correct reasons for administration of drugs. The act of hospitalization was extreme and only to be carried out in extreme cases. The patient should be given all opportunity to reintegrate into the community. Italian legislation on that matter had led to heated debate concerning limiting hospitalization and reintegration into the community. The sections of the report dealing with that were particularly important.

HUBERT WIELAND (Peru), said the work of the human rights and the environment expert of the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be encouraged. The capacity of nature to absorb human activities was not without limits. New scientific discoveries should be accompanied by respect for the fundamental rights of the individual. One should establish a balanced environmental atmosphere, and States had the full responsibility in promoting a healthy environment.

LESLIE GATAN (Philippines) said she concurred with the United Nations University's report in its conclusion that there was an urgent need to guide and channel technology in order to enhance the protection of human rights, especially in the developing world. The 1992 Conference on Environment and Development in Brazil should demonstrate collective resolve to arrest the deterioration of the environment in its most comprehensive aspects.

HABIB TEBOURBI (Tunisia) said the problem of the protection of the ecological balance was different in the developed and developing countries. For the developing countries, it was a question of survival. Despite strong policies of the developing countries to struggle against the degradation of the environment, the actions were very limited. It was due to their limited financial resources and lack of appropriate techniques. That was also due to the debt burden and to the deterioration of the terms of trade. The environmental problem could only be solved through concerted international co-operation.

DAVID ARNOTT, of the World Conference on Religion and Peace, said it was not morally and logically possible to separate the human and non-human aspects of nature. War was often accompanied by environmental devastation. There was a need to establish standards in the area of mass destruction. The conflict in the Gulf, for example, involved widespread atmospheric and water pollution. The use of deforestation as a weapon could be seen in Burma, resulting the rapid destruction of 80 per cent of the world's teak reserves and the displacement of an estimated 100,000 persons. The use of environmental destruction as a weapon was a crime against humanity and a violation of the rights of the unborn.

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FELICE GAER, of the International League for Human Rights, said that in China the organs of executed detainees had been used for the purposes of transplant operations without the permission of either the detainees or their families. That practice amounted to degrading treatment of both the executed persons and also of their family members. The Chinese Government must cease that practice.

EVI UNDERHILL, of the International Association of Penal Law, said the Association had been closely involved in work on the Principles for the protection of the mentally ill. The documents created during the work on the Principles could help less developed countries elaborate some basic safeguards. Among the problems considered in the elaboration of the Principles was the question of the treatment of an involuntary patient and his right to refuse treatment. The Working Group had truly endeavoured to balance all those human rights with the patients's right to health.

RUSSEL BARSH, of the Four Directions Council, said environmental killing tended to target the poor and other politically vulnerable groups. They could not effectively prevent the State or privately owned companies from locating hazardous activities, or dumping toxic materials, where they lived. The tragedy at Bhopal, India, was testimony to that. So was the Exxon Valdez oil spill in Alaska, which mainly affected the indigenous people who lived in fishing villages in that area. In extreme cases, such as the effects of the Chernobyl nuclear disaster, those kinds of activities could be ethnocidal or even genocidal. In Bangladesh, the catastrophic flooding had been worsened by deforestation in upstream areas. Flooding would continue to worsen as a result of global warming.

Rights of Child

The Convention on the Rights of the Child, adopted by the General Assembly in 1989, was opened for signature in New York on 26 January 1990 and entered into force on 2 September 1990. It has been ratified, or acceded to, by 74 States. At its last session, the Human Rights Commission requested the Secretary General to prepare a report of the status of the Convention and to transmit to the Commission the report of the World Summit for Children, held in New York on 30 September 1990. These documents are before the Commission in documents E/CN.4/1991/58 and E/CN.4/1991/59, respectively.

Acting on the recommendation of the Working Group on Contemporary Forms of Slavery, the Commission also decided to appoint a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. Special Rapporteur, Vitit Muntarbhorn's report is before the Commission in document E/CN.4/1991/51. The report aims to provide a preliminary assessment of problems and prospects. A more detailed report is due at the end of 1991.

Last year the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted the "Programme of action for the elimination of the exploitation of child labour" which is also recommended to the Commission for adoption in draft resolution VII of the Sub-Commission's

report. The Commission also adopted resolution 1990/67, entitled "Programme of action for prevention of sale of children, child prostitution and child pornography" by which it decided to transmit to Governments, specialized agencies and non-governmental organizations the draft programme of action for their comments. An analytical summary of comments received appears in document E/CN.4/1991/50.

Statements Made

PETER THOMSON (Australia) said his country had participated in the drafting of the Convention of the Rights of the Child. Indigenous children in Australia continued to be disadvantaged in their enjoyment of many of the human rights recognized by the Convention. The Convention recognized the fundamental importance of the family. On funding, he said additional resources were needed for the Centre of Human Rights to ensure that all parties received a proper return for time and resources invested in concluding the Convention.

ALAN KESSEL (Canada) said his country had placed strong emphasis on ratification of the Convention on the Rights of the Child. Under the Canadian federal system, many of the areas of the Convention fell within provincial or shared jurisdictions. Consequently, support of the provinces was sought to permit Canada to sign the Convention, and ratification was expected soon. Canada believed that non-governmental organizations should be active participants in the process of ensuring implementation of international obligations and commitments in the area of children's rights.

ILKA BAILEY-WIEBECK, of the International Abolition Federation, said her organization had expanded activities in third world countries. It had received that impetus from an international conference held in Geneva. The conference was informed, among other things, that 100,000 children in Taiwan had been forced into prostitution. Young Chinese teenagers had been smuggled into Taiwan, and half of them had been forced into prostitution. In isolated Taiwanese aboriginal villages, parents were tricked into leasing out their girls. Her organization devoted funds to looking for children who, avoiding school, might get tricked into prostitution.

NIGEL CANTWELL, of the Defence for Children International, said the Convention on the Rights of the Child had generated unprecedented support among Governments throughout the world since coming into force. In one year it had been signed by four fifths of the world's Governments, and nearly one half had already ratified or acceded to it. The contribution made by the United Nations Children's Fund (UNICEF) through its support for the World Summit was well known. In several countries UNICEF had aided the process of ratification by financing studies of the compatibility of national law and practice with the Convention.

SHEPART HARDER, of the International Save the Children Alliance, said many voluntary organizations, including Save the Children, had contributed to the drafting of the Convention on the Rights of the Child in a manner that was unprecedented. There remained too many instances where children were brutalized by war. In addition to taking all feasible measures to ensure the

protection and care of children who were affected by armed conflict, Save the Children was committed to addressing the needs of children without families, refugee children, disabled children and children who were sexually exploited.

MANFRED NOVAK (Austria) said no other human rights convention of the United Nations had received such quick and positive reaction by Governments as the Convention on the Rights of the Child. Alarmed by increasing abuses in the violations of the life, dignity and integrity of children, the Commission had appointed a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography. The main approach underlying his study was the promise that while laws could help, they alone did not suffice. There was need for an interdisciplinary approach linking law, policies and practices with appropriate budgetary commitments.

PAULO CUNHA ALVES (Portugal) said his country had participated actively in the production of the Convention, which it had already ratified. The Convention had been translated into Portugese and disseminated throughout the country. A meeting in Lisbon of seven Portugese-speaking countries to be organized in collaboration with the Centre for Human Rights would deal with children's rights. Portugal welcomed the formation of the Committee on the Rights of the Child.

KIRILL ERMICHINE (Soviet Union), referring to the election of the members of the Committee on the Rights of the Child, said it was "as a child being born in New York". It was difficult to wish success to all 43 candidates to the 10 seats in the Committee. The most qualified personalities would be elected, and quite soon the Commission would proudly witness the first words and steps of its child.

FLORENCE BRUCE, of the International Catholic Child Bureau, said the draft programme of action for the elimination of the exploitation of child labour failed to take sufficient account of some aspects of the sale of, and trafficking in, children for purposes other than sexual exploitation. The impression given by the programme of action that child prostitution was an appendage only of tourism or the presence of military bases was incomplete; although research findings in some countries had shown that tourism had led to an increase in the incidence of child prostitution, it should be said that child prostitution existed in many countries independently of tourism.

Rights of Reply

OMAR DAHAB (Sudan) said he agreed with the delegate of Canada that the situation in the whole of the Horn of Africa was of grave concern. The Government of the Sudan had been pursuing since June 1989 a policy which aimed at solving the economic crisis and finding a peaceful settlement to the war raging in the south of the country. It had begun peace talks with the rebel movement based in Ethiopia, which had helped to narrow points of disagreement.

ALFRED PAPUCIU (Albania), responding to a statement by Yugoslavia, said democratic changes in Albania were durable and sincere. There was freedom of assembly and of expression, as well as the right to belong to trade union

organizations. All Albanian nationals had the right to a passport to travel abroad, so those who fled without one were simply impatient. Albania would co-operate with foreign countries in the areas of economic development and human rights. Albania was in favour of good neighbourly relations; it would urge Yugoslavia to deal with the problems in Kosovo and not interfere with the internal affairs of Albania.

HECTOR VILLARROEL (Philippines) said a person named by a non-governmental organization was not being silenced by the Government. Jaime Tadeo was a peasant leader and a human rights advocate, but he was not above the law. He had been tried and convicted of fraud and misuse of funds. While on bail, he had exercised his freedom of speech and appeared on television. That was certainly not a man who had been deprived of his rights.

NGUYEN THI NHA (Viet Nam) said Viet Nam had freed 1.3 million persons through amnesties in 1987 and 1988. Those still held were not political prisoners but war criminals who had broken the law. Their cases were under consideration.

RAUL ROA KOURI (Cuba) said the representative of Luxembourg had repeated what had been said by other European representatives. As for Austria's reference to his country, he said he was rather concerned by the widespread racist attitudes in Austria. He said the Japanese representative should have an open-minded attitude and should not propagate the ill-intentioned views of the world media. In Europe, third world migrants were subjected to discrimination. The Cuban Government was willing to co-operate with the European Community.

ZIVOJIN JAZIC (Yugoslavia) said every sovereign State had the right to sort out its own internal problems as it saw fit, in a democratic manner. Claims of the Organisation for the Elimination of All Forms of Racial Discrimination with regard to Kosovo were false; the cases mentioned by that organization had been totally misrepresented.

WIN MRA (Myanmar) claimed that the representative of the International Group for Indigenous Affairs was "a criminal". The Group was participating in treason; its leader was a well-known insurgent. The appearance of that organization besmirched the image of the Commission.

HASSAN WIRAJUDA (Indonesia) said the incidents in Aceh province had been instigated by bands of armed criminals. Those actions could be seen as a consequence of a certain social and economic dissatisfaction present despite the substantial efforts at development by the Indonesia Government. As a result of a thorough police investigation, 24 persons directly involved in the disturbances would be brought to trial next month. He said the promotion of human rights in East Timor continued to be a main concern of his Government.

M.R. ALBORZI (Iran) said it was regrettable that Mujahadin insurgents had infiltrated the International Falcon Movement. That terrorist group also operated outside the borders of Iran. Their activities were atrocious. Proof could be found in the Special Representative's report on Iran.

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PURIFICACION QUISUMBING (Philippines) said she was surprised that the Women's International League for Peace and Freedom had dwelled on what was claimed as her Government's total war policy and had forgotten that a large part of that policy was focused on the peace process. It was not the policy of her Government to subordinate respect for human rights to the crushing of the insurgency movement.

Mr. DAHAB (Sudan) said his Government had inherited a chaotic security situation in June 1989. Taking into consideration international covenants, it had been decided to declare a state of emergency, which was later relaxed. The perpetrators of the coup of 1990 had been charged according to standard legal military procedure.

PAK DOK HUN (Democratic People's Republic of Korea) said the International Organization for the Elimination of All Forms of Racial Discrimination slandered his country for political purposes. The fundamental rights and freedoms of the people in the country were firmly protected by its socialist constitution. The working people were the masters of the State, with the inviolability of their rights fully guaranteed.

The representative of Rwanda said he thanked the representative of the International Movement for Fraternal Union Among Races and People for his interest in the Dar Es Salaam declaration. Nevertheless, his comments about right to life violations in Rwanda were unfounded; the right to life was ingrained in Rwanda's history.

Mr. PAPUCIU (Albania) said accusations by Yugoslavia regarding human right in Albania were calumnious. Fundamental freedoms were enjoyed by all Albanians, and Albania had always spoken out against terror and violence wherever they might occur. Albania would also never intervene in the affairs of other countries.

SIDNEY SOKHONA (Mauritania) said if the observer of the International Movement for Fraternal Union Among Races and Peoples was motivated by objectivity he would have sought to obtain information from the delegation of Mauritania.

EURIPIDES KERKINOS (Greece) said the Muslims of Western Thrace exercised political rights in absolute freedom. They elected representatives both at the local and the national level. The allegation regarding a discriminatory land policy against the Muslims was unfounded.

CEM DUNA (Turkey) said the Turkish minority in Grece had come under attack. Those deplorable events had occurred without any attempt by the Greek authorities to intervene. The decrease of the Greek minority in Turkey was due to voluntary migration and not to any undue pressure. The Turkish Greek minority was excluded from all political activity in Greece.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/239
1 March 1991

HUMAN RIGHTS COMMISSION DISCUSSES CHILDREN'S RIGHTS,
RECEIVES REPORT ON 'EXPLOITATION' OF CHILDREN

GENEVA, 28 February (UN Information Service) -- The Commission on Human Rights this morning continued its discussion on the rights of the child.

Introducing his report, the Special Rapporteur on the Sale of Children, Vitit Muntarbhorn, said the sale of children was a universal phenomenon which had been aggravated by the advent of consumerism, rapid communications and modern technology. Child exploitation was not merely the business of certain individuals, but an international system based upon criminal elements which profiteered from it. The sale of children for child labour was a ubiquitous phenomenon which legislation per se would not eradicate. The problem had been compounded by national and transnational sex tourism and certain cultural practices which were discriminatory, especially against women document E/CN.4/1991/51).

Taking part in this morning's discussion were delegations from Sweden, Brazil, Yugoslavia, Venezuela, Peru, Colombia, Iraq, Philippines, Switzerland and Argentina. The following non-governmental organizations also spoke: the Latin American Federation of Associations of Relatives of Disappeared Detainees, the International Association of Democratic Lawyers, the Movement Against Racism and for Friendship Among Peoples and the Baha'i International Community.

The Commission meets again this afternoon, to undertake a review of advisory services in the field of human rights and to examine the implementation of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief.

Statements in Debate

ANDERS RONQUIST (Sweden) said the support of the international community for the Convention on the Rights of the Child was unprecedented, it had to be asked whether the situation of children improving. Reports of violation of the rights of children were received from some of the States parties to the Convention. The survival and development of the infant should be ensured to the maximum extent possible. The Convention also protected adolescents from

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For information media—not an official record

political persecution, from torture and from capital punishment. The struggle against child exploitation should contain incentives at the level of international cooperation; it should also contain a rejection from all States of that phenomenon.

JOSE LINDGREN ALVES (Brazil) said 1990 had brought about two particularly important developments in international cooperation for the promotion of the rights of the child: the entry into force of the Convention and the successful holding of the World Summit for Children. Brazil's newly established Centre for Childhood and Youth worked to rehabilitate juvenile offenders. Aware that previous experiences of confinement in correctional institutions had been counter-producive, the Centre was deploying every possible effort, both by direct action and by persuasion, to transform old correctional institutions into far more open and humane ones.

OLGA SPASIC (Yugoslavia) said the aspirations of the international community in regard to the special protection needed by children was reflected in the Convention. Yugoslavia had undertaken a number of activities on behalf of the Convention. Measures had been taken to adjust legislation. Round-table discussions had been organized. Children had been polled to ascertain their views on the Convention. The adoption of the Convention had mobilized political will and ethical and humanitarian values, to enhance the dignity of children.

On the problem of abandoned children, MARTHA DI FELICE (Venezuela) said the adoption of those children by families could have a major impact on the problem. Violations of the rights of children took many forms. It involved the sale and trafficking in children, child labour, child prostitution and pornography. It was useful to distinguish between child labour as defined by the International Labour Organisation (ILO), and child labour for criminal purposes. The list composed by the Special Rapporteur was not exhaustive, but rather indicative of the problems involved. Venezuela hoped that the Plan of Action approved by the World Summit for children would be fully realized.

MARIO LOPEZ (Peru) said his country was gratified by the adoption of the Convention by a vast majority of States. It had provided additional solid support to the economic programme which was being implemented in Peru and which was a basic pillar to economic stability and social evolution. Survival of the child entailed the duty to ensure the essential and basic necessities of children.

LIGIA GALVIS (Colombia) said it was pleasing that so many countries had signed and ratified the Convention. Protecting the rights of the child ensured a better future for those who would be adults in the next century. The circumstances of child exploitation were complex. There were also psychological problems such as fear and solitude, which were more subtle but just as important. Colombia had made some important suggestions regarding better education and family planning to prevent child exploitation.

ABDUL AL-KADHI (Iraq) said the Convention on the Rights of the Child was binding in times of peace and war. The United States aggression against his

country constituted a serious violation of the Convention. The aggression prevented the supply of medicine and food to children. He referred to the bombing of a milk factory, and said the economic embargo had also affected the supply of food. The "barbaric bombing of towns and villages" had also caused the spread of diseases. He said that according to the Iraqi Red Crescent, children had died because of the diseases that had surfaced in the villages. That aggression was in violation of international laws. The international community should lift the economic embargo against Iraq.

DELIA MENEZ-ROSAL (Philippines) said the convening of a World Summit for Children had strengthened the commitment of the international community to protect the rights of the child. The Philippines attached great importance to the Convention, which codified all the provisions of international law pertaining to children in one instrument. An information campaign on the rights of the child, cosponsored by the United Nations Information Office in Manila, had been launched in 1990.

JEAN-DANIEL VIGNY (Switzerland) said the Convention was an important step forward in the protection of children on an international basis, protecting the whole of their civil, political, economic, social and cultural rights. It also imposed on the States parties specific obligations to give reality to the rights of the child by adopting domestic measures. Specific international instruments should also be adopted.

MARIA ALEXIU, of the Latin American Federation of Associations of Relatives of Disappeared Detainees, said children were often the victims of physical and psychological abuse, slave labour and drug delinquency. In some countries children participated in internal conflicts and civil wars and were subjected to the death sentence. In Uruguay, Chile and Argentina, many children were unaware of their family history as they had been taken away from their disappeared parents during the period of dictatorship in those countries. There were scientific methods to ascertain the genealogy of a child through his grandmother, so there was no reason not to address the problem of rootless children. All children had the right to know their name, nationality and family relationship. The war in the Gulf had subjected Iraqi and Kuwaiti children to the horrors of the war.

RENEE BRIDEL, of the International Association of Democratic Jurists, said that in six Latin and Central American countries, the sale of body organs had become widespread. Children were kidnapped for the purpose of taking their organs, which were later sold on the black market. In Bogota, Colombia, the rate of infanticides for that purpose had increased. In Haiti and Brazil, such practices had resulted in the death and disappearance of many children. In Bombay, poor people sold their kidneys to patients from the Gulf countries. There was also organ trafficking between Europe and third world countries.

ZELMIRA REGAZZOLI (Argentina) said children needed protection and special care. In the previous military dictatorship in Argentina, the rights of the child were grossly abused. Many children were separated from parents who had been kidnapped or assassinated by the terror apparatus. It was important to

bring an end to international adoption, through legislation and practical means. Hunger and malnutrition were the major causes of death among children in the third world. Children were often subjected to psychological abuse as well as aggression and violence within the family unit. Such children were thus deprived of a normal growing up experience. That was bound to shape their future personality.

OZDEN MELIK, of the Movement Against Racism and for Friendship Among Peoples, said the Commission should take note of the situation of the Kurdish victims of Turkish domination. Kurdish children were refused all their rights. Their parents had no right to give them Kurdish names. In the soeth-east of Turkey, the Kurdish population had been displaced from their villages. That measure prevented children from being supplied with their basic needs. In 1990, the Turkish Government had sentenced a 14-year old child to death. There were 120 other children in Turkish prisons.

DIANE ALAI, of the Baha'i International Community, observed that since the adoption of the Declaration on the Rights of the Child in 1959, the international community had explicitly recognized the special relevance of human rights to children. Thirty years later, the unanimous adoption of the Convention on the Rights of the Child indicated the general recognition of the importance of children's rights. The Convention should serve as a crucial instrument for the realization and safeguarding of the rights of children throughout the world. The allocation of resources for education should be viewed as a central component of the implementation, promotion and enhancement of the Convention.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/240
1 March 1991

HUMAN RIGHTS COMMISSION DISCUSSES CHILDREN'S RIGHTS, ADVISORY SERVICES AND RELIGIOUS DISCRIMINATION

Vice-Minister for Foreign Affairs of Guatemala Takes Part in Debate

GENEVA, 28 February (UN Information Service) -- During an extended meeting this evening, the Commission on Human Rights ended its general debate on children's rights, and took up a review of the programme of advisory services in the field of human rights, and of the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Haroldo Rodas Melgar, Vice-Minister for Foreign Affairs of Guatemala, told the Commission that the newly elected Government in his country was committed to realizing the objective of full enjoyment of human rights.

Jan Martenson, Under-Secretary-General for Human Rights, introduced the item in the programme of advisory services.

Christian Tomuschat (Germany), Independent Expert on the Situation of Human Rights in Guatemala, introduced his report (document E/CN.4/1991/5 and Add.1). He said that the past year had again seen a frightening number of politically motivated crimes in Guatemala. A pattern had emerged over the years whereby people were dragged away and later found dead with visible marks of torture. Those disappearances and summary executions were normally perpetrated by paramilitary units. Human rights needed reliable foundations within the Guatemalan society; a democratic structure would not be enough. Advisory services provided by the United Nations could make an essential contribution. Assistance to Guatemala should not be suspended just because it might be seen as having proved useless.

Introducing his report on the implementation of the Declaration on the Elimination of Religious Discrimination (document E/CN.4/1991/56), Angelo Vidal d'Almeida Ribeiro (Portugal), said the fight against religious discrimination and intolerance could take the form of socio-economic, educational or other efforts aimed at creating a better political climate. The consulting services of the United Nations might be useful in that regard.

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The positive and radical changes that had taken place in Eastern Europe in recent times were a cause for optimism.

Taking part in this evening's debate were representatives of: Guatemala, Ukraine, China, India, Austria, United States, Italy, Portugal, Morocco, Soviet Union, Peru, Syria and Ireland. The observer for the Holy See also spoke. The following non-governmental organizations made statements: the World Jewish Congress and Coordinating Board of Jewish Organizations, the International Organization for the Elimination of All Forms of Racial Discrimination, the Christian Democratic International, the American Association of Jurists, the Four Directions Council, the International Association for the Development of Freedom of Education, the International Association for the Defence of Religious Liberty, the World Federation of Trade Unions, the International Council of Jewish Women, the International League for Human Rights, the International Progress Organization and Pax Romana.

The representatives of Cuba, Libya, Mauritania and Czechoslovakia exercised the right of reply.

Programme of Advisory Services

JAN MARTENSON, Under-Secretary-General for Human Rights, said advisory services and technical assistance activities formed part of a comprehensive programme and complemented the legislative, monitoring and investigative procedures of the United Nations human rights programme. Technical cooperation offered a unique opportunity to the United Nations to assist countries in the widest possible implementation of human rights standards. He reviewed the activities of the United Nations Centre for Human Rights.

Statement by Guatemala

HAROLDO RODAS MELGAR, Vice-Minister for Foreign Affairs of Guatemala, said the newly elected Government of Jorge Serrano Elias was committed to the objective of full enjoyment of human rights and fundamental freedoms. In addition to new legislative procedures, the Government continued to consolidate work already begun to ensure that some crimes no longer went unpunished. Positive events which culminated in the popularly elected Government included the establishment of an independent judiciary, an advisory commission to advise the President on human rights and a council for human rights.

There was still much to be accomplished and nothing could be done without international cooperation and help. The Government attached great importance to recent discussions of reconciliation which took place between trade union leaders, academics and the subversive groups represented by the Unidad Revolucionaria Nacional Guatemalteca with the aim of returning all sectors of the population to democratic life. The Vice-Minister said he hoped that the guerrilla movement would respond to the new atmosphere of reconciliation and

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cease doing harm to the needy. Peace was needed to consolidate democracy. The Government had taken various steps to eradicate corruption and poverty and to enhance civil and political liberties.

Statements in Debate

ALEXANDRE KOUPTCHICHINE (Ukraine) said there seemed not to be one single solution to the problem of religious intolerance. Freedom of conscience should be assured for all. Personal convictions should not affect other human rights and freedoms. A departure from that position would seem to lead away from democracy. In the Ukraine, religion used to be seen as the opiate of the masses and many church members had been persecuted. Today, however, the Government respected the rights of all church members, and had enacted various measures to improve inter-church relations and to reconcile accumulated grievances between Church and State.

WANG XUEXIAN (China) stated there were some 2,000 religious organizations in China and over 40,000 sites and buildings for religious activities. Nationwide there were about 200,000 professional religious staff. The State made sure that they could carry out their normal duties undisturbed. China did not interfere with the freedom of religion of citizens. There had been cases of individual religious believers being subjected to legal proceedings because of illegal and criminal activities.

KAPIL SIBAL (India) said his country reaffirmed its unity by recognizing its diversity. Secularism meant State tolerance and was the foundation of democracy. The Declaration on Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief should be implemented world-wide. Yet, as the Special Rapporteur had noted, torture, imprisonment and ill-treatment were the fate of some as a result of their religious activities. The efficient functioning of democratic institutions and the rule of law continued to be the best guarantees for the respect of religious rights.

THOMAS MICHAEL BAIER (Austria) said his country considered freedom of thought, conscience, religion and belief to be essential preconditions for safeguarding spiritual well-being and human dignity. Non-observation of those principles was bound to lead to the violation of other fundamental human rights, and could lead to international instability. However, infringements on religious rights and freedoms continued to persist, and it was to be deplored that certain countries had not cooperated with with the Special Rapporteur.

KRISTINA ARRIAGA (United States) said the United States was preoccupied by the serious and detailed allegations of religious intolerance in the form of official practices directed against Buddhist monks and nuns in Tibet, as well as against Christian clergy in northern China. In Cuba, Jehovah's Witnesses had been persecuted. It was also significant that with respect to Iran, there had been extensive allegations of religious intolerance in the form of official practices directed against Baha'i and Christians of Armenian origin. It was a positive sign that the Government of Iran had invited the Special Rapporteur to visit Iran. But how could Member States individually,

and the international community as a whole, be more effective in promoting tolerance and mutual respect in relation to religion and belief? The United States did not itself have a satisfactory answer.

FRANCESCO MEZZALAMA (Italy) said the United Nations remained the best guarantee against religious discrimination. Everyone should live according to his own conscience. Italy would welcome an in-depth analysis of the question under debate and was itself preparing a complete and comprehensive answer to the questionnaire put forward by the Special Rapporteur.

PAULO CUNHA ALVES (Portugal) said that according to the Special Rapporteur, incidents and governmental actions inconsistent with the Declaration had persistently occurred in most regions of the world. Many persons continued to be detained in prisons for religious reasons, and were in some cases subjected to torture and ill-treatment. The best guarantee for the respect of those rights and freedoms continued to be the efficient functioning of democratic institutions and the rule of law.

ALI ATMANI (Morocco) said the religious approach of Muslim States could not be seen as an infringement on secularism. The religious beliefs of all citizens were respected equally in Morocco. Religious liberty in Morocco was based on the constitutional respect of religious freedom, and that freedom was based on the rights of belief, conscience and worship. There was a perfect symbiosis with the Jewish Moroccan minority. Desecration of religious symbols was punishable by law. Christians and Jews could not be prosecuted for breaking the Ramadan fast, and consumption of alcohol was an offence only for Muslims. Jews had found a home in Morocco following the inquisition. In Morocco, three main religions lived side by side. The modern Moroccan State was based on justice and equality.

OLEG MALGINOV (Soviet Union) said the numerous religious wars and strife had been replaced by tolerance and brotherhood in most parts of the world. In the Soviet Union there was still room for improvement in church-State relations, although there had already been tremendous progress in that regard. The church had a cultural and historic role to play in society. Whereas in the past, the church and State in the Soviet Union had a complex and even hostile relationship, the new thinking had permitted the free religious choice of all Soviet citizens. The teaching of religious studies had begun in many schools, and some Republics had authorized Sunday schools as well. The Soviet Union had cooperated with the Special Rapporteur in his study of the progress of religious rights in the country. The Soviet Union was convinced that recent reports submitted to the Commission had become more objective and detailed than was the case in the past.

HUBERT WIELAND (Peru) said religious intolerance gave rise to many other kinds of human rights violations. Those who were discriminated against on that basis usually also lost their civil and political liberties. The State's institutions and the respect for the rule of law were the best protections. The evils of intolerance and discrimination on the basis of belief had to be eradicated.

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JUSTO MULLOR, observer for the Holy See, said he was pleased to convey the message of Pope John Paul II that "if you want peace, respect the conscience of everybody". The Declaration of freedom of religion was one of the most important documents to emanate from the Commission on Human Rights. Religion had often been associated with a fixed culture or geographic region. Today people were moving from the North to the South or from East to West. Christians were working in countries with Hindu, Bhuddist, Jewish, Islamic or other religions. The Holy See wished to confirm its conviction that religions should work together for a better future, free of the cyclic tyranny of war.

NABILA CHAALAN (Syria) said the Arab region -- the cradle of civilization -- was the victim of intolerance on the part of Israel. Israel had been founded on the base of an historically invalid political system. It persisted in annexation and expansionism. The Israeli Law of Return allowed any Jew anywhere to return to Israel while Palestinians were denied that right to return to their homeland. That was in direct contravention of the Declaration on the Elimination of All Forms of Intolerance. Israel practised discrimination between Jews and the people born in the West Bank, Gaza and the Syrian Arab Golan. Israel filled those areas with Jews under the pretext that Jews had lived in those areas over 2,000 years ago. Israel occupied those lands and intended to keep them. Syria had always attached great importance to questions of religious tolerance, and was active in drafting and ratifying international instruments.

PATRICK HENNESSY (Ireland) said the Commission's Special Rapporteur on religious intolerance had pursued a careful and well-thoughout approach to the realization of his mandate. Often religious differences served merely to mask deeper economic, social or cultural divisions. Ireland had repeatedly made clear the importance it attached to the creation of a climate inimical to discrimination. Legislation, education and training were necessary for tolerance. It was hardly accidental that in the countries of Eastern Europe, where Governments founded on those principles had recently been established, dramatic progress had been made in the area of freedom of belief and in protecting the rights of religious communities.

DAVID LACK, of the World Jewish Congress and Coordinating Board of Jewish Organizations, said there was an urgent need for a convention to combat religious intolerance. There was a lack of resolve by the international community to comprehend the threat which current events confirmed. Education and mutual respect must be encouraged in parallel with standard-setting and effective implementation. The recent adoption by the Supreme Soviet of the Soviet Union of the law pertaining the freedom of religion or belief was to be welcomed but the resurgence of incitement to racism and hatred by the Pamyat nationalist movement was to be condemned. At this session of the Commission a delegate of Syria had mouthed "an antisemitic canard", without the protection of Parliamentary privilege, that statement would have been the subject of criminal prosecution.

HUSSEIN RAIANI, of the International Organization for the Elimination of All Forms of Racial Discrimination, said she had fled the atrocities of the Iraqi dictatorship to seek refuge in France. Everything would have gone well

if only the French authorities had "allowed me to express freely my religious convictions", she said. She had been prohibited from going to school because she insisted on wearing her scarf out of religious conviction. Many women of similar conviction had been obliged to complete their studies in private schools. The scarf was a respectful symbol for Muslim women. It was clear that she was a victim of religious intolerance, and was being condemned to isolation and separation from society, she added.

CECILE SLESZYNSKA, of the Christian Democratic International, said that in 1990, there had been several religious conflicts. The Russian Orthodox Church was in conflict with the Catholic Ukrainian Church, while the Muslim Azeris were in conflict with the Christian Armenians. In Bulgaria and Romania, there had been pressure on the new Governments by the Orthodox Church. In Mexico, the Catholic Church was not recognized by the State and there was a climate of intolerance among religions. In Cuba, religious practice was considered a kind of dissident behaviour. The Arab Muslim world presented similar characteristics. In India, there was an ongoing conflict between Hindu, Sikh and Muslim. On the other hand, Nepal had revised its Constitution and religious prisoners had been freed. All violations of the right to religious freedom seemed to result from the de jure and de facto installation of State religion.

ALEJANDRO TEITELBAUM, of the American Association of Jurists, said the statement by Syria about Jews was definitely racist in character. In the recent elections in Poland, anti-Semitism had raised its ugly head; there had been calls for people not to vote for the Prime Minister because he was Jewish. In France there had been racist attacks against immigrant workers, especially North Africans. In Switzerland there was talk about using the army at the frontier to prevent illegal immigration. There was certainly need for more world-wide brotherhood and tolerance in the area of religious affairs.

RUSSEL BARSH, of the Four Directions Council, said his organization had always considered the protection of indigenous peoples' religious freedom a matter of highest priority. However, for the past two years, the information provided to the Special Rapporteur by the Council had been ignored. This year, again the Council's concerns did not appear in the report. He said he challenged the Special Rapporteur to help find a meaningful solution for the problem of relocation of Indian tribes in the United States. Here was a situation where the people involved on both sides believed that community mediation could work. The United Nations should provide the necessary technical assistance.

ALFRED FERNANDEZ, of the International Organization for the Development of Freedom of Education, said States should provide educational centres for facilitating educational continuity between family and school. In particular, the public powers should place at parents' disposal the economic resources for creating new schools in accord with their religion and belief. That was the most effective action for the development of a successful pluralism, avoiding any kind of intolerance, especially religious intolerance.

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GIANFRANCO ROSSI, of the International Association for the Defence of Religious Liberty, said several newly democratic countries in Eastern Europe had begun to adopt laws guaranteeing all citizens the freedom of conscience and liberty. The Special Rapporteur's report noted that incidents inconsistent with the Declaration persisted. The most striking cases of the rise of fanaticism had occurred in two Muslim countries. In Mauritania, the 1981 Penal Code outlawed apostasy. In Saudi Arabia, where all religions apart from Islam were illegal, two thirds of the working population were foreigners, yet they were denied the right to religious belief. The Commission should take measures to end those discriminatory practices.

DANIEL RETUREAU, of the World Federation of Trade Unions (WFTU), said the Czechoslovak authorities had decided to close the office of the World Federation of Trade Unions in Prague by 30 June 1991. The WFTU was a politically independent organization, and the decision of the Czechoslovak authorities was contrary to the spirit of trade union pluralism and tolerance, and was reminiscent of the cold war. Czechoslovakia had now become a member of the Council of Europe, but it had not adhered to the spirit of democracy.

ANDREE FARHI, of the International Council of Jewish Women, said religious intolerance, discrimination, nationalism, fascism and anti-semitism still existed. While there had been progress in the countries which had thrown off totalitarianism, they had also often returned to nationalism in order to bind social classes together. Nationalism might fall into the hands of the right, as it had in France. The "anti-semitic slur" uttered by Syria at the Commission belonged in the Middle Ages. The 4,000 strong Jewish community in Syria was "ghettoized" and under constant surveillance.

FELICE GAER, of the International League for Human Rights, said the Chinese Communist Party had long fought against religion. In China, in addition to Confucians, Taoists and Buddhists, there was a substantial Muslim minority. Although freedom of religion was formally recognized under the Constitution, religious associations had had to sever all foreign links, give up their lands to the State and renounce their charitable functions. Virtually all convents had been destroyed in Tibet, with Tibetans being forced to participate in their destruction. In China, persons who were religious could not be Communists, and therefore could not hold high office in the Communist power structure.

WARREN HAMERMAN, of the International Progress Organization, said that while the United States Constitution and laws contained model language of protections, in practice the actions and deeds of the United States and states' governments had singled out individuals and associations whose philosophic and political beliefs were contrary to American philosophy. There had been massive judicial abuses against the political and publishing movement associated with Lyndon H. La Rouche, Jr., the American politician and physical economist who had been a political prisoner for over two years.

VICTOR KARUNAN, of Pax Romana, said that in China, since June 1989, a number of Catholic bishops and lay persons had been arrested. New legislation in the Ukraine granting churches and Christian communities basic rights none

the less implicitly reflected the attitude that religion was a negative social phenomenon. A bill adopted in Singapore in 1990 provided further legal powers to continue to impose severe restrictions on former detainees, many of whom were committed Christians. Those cases suggested that often religious intolerance was perpetrated for political reasons by Governments in power.

Rights of Reply

DIANA CARMENATE PEREZ (Cuba) said the United States had poor information or bad intentions. It should rid itself of religious intolerance at home before criticizing others. Black American Muslims in jail were unable to practise their faith during their imprisonment.

IBRAHIM OMAR (Libya) said Islam did not impose itself on anyone, contrary to what the International Association for the Defence of Religious Liberty had said. People were free to convert or practise their own religion. No religion had ever been imposed on anyone by the Libyan authorities.

MOHAMED OULD MOHAMED LEMINE (Mauritania) said it was clear that Islam was not an intolerant religion. Mauritania was a haven of religious tolerance.

KAREL KALOC (Czechoslovakia), responding to the World Federation of Trade Unions, said the decision to close its office was not final, and Czechoslovakia would consider the requests made by the organization.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/241
1 March 1991

HUMAN RIGHTS COMMISSION ADOPTS RESOLUTIONS ON SITUATION IN SOUTHERN AFRICA; ECONOMIC, SOCIAL AND CULTURAL RIGHTS; TREATY IMPLEMENTATION

GENEVA, 1 March (UN Information Service) -- The Human Rights Commission this morning adopted five resolutions on human rights in southern Africa; the realization of economic, social and cultural rights; and the functioning of human rights treaty bodies.

The Commission also continued its consideration of the question of human rights violations in any part of the world by studying, in closed session, situations appearing to reveal a consistent pattern of gross violations of human rights.

The Commission will meet again this afternoon to examine the questions of discrimination based on religion, human rights advisory services, the report of the Subcommission on the Prevention of Discrimination and Protection of Minorities; the rights of migrant workers and minorities, and the responsibility of individuals to promote human rights.

Adverse Consequences for Human Rights in South Africa

With regard to adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa, the Commission vigorously condemned the assistance rendered by the major Western States and Israel to South Africa in the political, economic, financial and particularly the military field. It expressed its conviction that this assistance constituted a hostile action against the people of South Africa and the neighbouring States and demanded that such assistance be immediately terminated. It also condemned "the continuing nuclear collaboration of some Western States, Israel and other States with the racist regime of South Africa" and urged those States to cease and desist forthwith from supplying South Africa with nuclear equipment and technology which enabled it to develop a nuclear-weapon capability that threatened peace and international security and obstructed efforts to eliminate apartheid.

By the resolution the Commission also once again called upon all Governments that had not yet done so to take legislative, administrative or

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other measures, in respect of their nationals and the corporate bodies corporate under their jurisdiction and control that own and operate enterprises in South Africa, with a view to putting a stop to their trading, manufacturing and investing activities in South Africa. It called for measures to end all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa and, in particular, an end to all collaboration with South Africa in the nuclear field.

The Commission further demanded that South Africa cease its acts of aggression and destabilization aimed at undermining the economies and the political institutions of neighbouring States; and appealed to all States, specialized agencies, regional intergovernmental and non-governmental organizations to extend all possible cooperation to the liberation movements of southern Africa recognized by the United Nations and the Organization of African Unity.

The resolution was adopted by a roll-call vote of 25 in favour to 13 against, with 3 abstentions, as follows:

In favour: Argentina, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, Ghana, India, Indonesia, Iraq, Mauritania, Mexico, Morocco, Pakistan, Peru, Philippines, Senegal, Swaziland, Venezuela, Yugoslavia and Zambia.

Against: Australia, Austria, Belgium, Canada, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Portugal, Sweden and United States.

Abstentions: Panama, Ukraine and USSR.

Explanations of Vote

KENNETH BLACKWELL (United States) said his country was in favour of the elimination of apartheid but the language of the resolution was totally inappropriate.

KATSUMI SEZAKI (Japan) said many positive changes in South Africa were not mentioned in the text of the resolution. Human rights and the elimination of apartheid should be merged into one resolution. Japan was dedicated to a constructive approach to ending apartheid.

ZDENEK PAGAC (Czechlosovakia) said he had voted against the resolution because the contents and the wording of the text were inappropriate. Czechoslovakia continued to support an end to the system of apartheid.

Human Rights Violations in South Africa

On the situation of human rights in South Africa, the Commission condemned the violations of civil, political, economic, social and cultural human rights still going on under the system of apartheid in South Africa. It commended the positive changes which had taken place in South Africa in 1990 under President F.W. de Klerk by which some political prisoners had been

released, political organization unbanned, the state of emergency lifted and the Separate Amenities Act repealed. It urged the South African Government to repeal all discriminatory and repressive legislation under apartheid without delay or exception, and proceed to negotiate in good faith for a democratic non-racial government with the representatives of the people. It supported the efforts of the liberation movements and all mass organizations in South Africa to dismantle apartheid, and urged them to join together in negotiating a peaceful transition to a non-racial democratic order. All States, intergovernmental organizations and non-governmental organizations were urged to continue to increase their support for the legitimate struggle of the South African people to dismantle apartheid and to provide economic, education, humanitarian and other assistance to the victims of apartheid.

Furthermore, the Commission called upon the international community to maintain all necessary measures against South Africa in order to create a climate conducive to negotiations in which all the parties concerned would agree on transitional arrangements to a democratic order. It decided to renew for a further period of two years the mandate of the Ad Hoc Group of Experts on Southern Africa. It requested the Ad Hoc Working Group of Experts on Southern Africa to continue, in cooperation with the Special Committee against Apartheid and other investigatory and monitoring bodies, to examine the situation regarding the violations of human rights in South Africa and to submit its final report at its forty-ninth session and to present a brief preliminary report to the General Assembly. The Commission also requested the Government of South Africa to allow the Ad Hoc Working Group of Experts on Southern Africa to visit that country.

Action on Economic, Social and Cultural Rights

Concerning the question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, the Commission welcomed the contribution of the Committee on Economic, Social and Cultural Rights, which continued to give impetus to the implementation of the rights contained in the Covenant. It encouraged States parties to the International Covenant to give their full support and cooperation to the Committee, inter alia, by ensuring that expert representatives were designated for the presentation of States reports and by the preparation, in consultation with relevant government departments and agencies, of succinct information.

It took note with particular interest of General Comment No. 3 on the nature of States parties' obligations under the Covenant and invited States parties, in pursuance of General Comment No. 3, to consider identifying specific national bench-marks designed to give effect to the minimum core obligation to ensure the satisfaction of minimum essential levels of each of the rights; and affirmed that full respect of the rights contained in the International Covenant was inextricably linked with the process of development. The Commission requested the Secretary-General to organize, under the United Nations programme of human rights activities in 1992-1993, an

expert seminar for discussion of appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights. It urged the Economic and Social Council, in reviewing its activities pursuant to General Assembly resolution 41/213 of 19 December 1986, to bear in mind its central responsibility for effective implementation of the International Covenant, while paying due regard to the distinctive character of the Committee on Economic, Social and Cultural Rights in its capacity as a treaty body. It invited the Economic and Social Council, pursuant to the Covenant, to identify ways in which international cooperation and technical assistance would contribute, particularly in developing countries, to the effective progressive implementation of the rights recognized in the Covenant. It decided to consider issues raised by the present resolution at its forty-eighth session. This resolution was adopted without a vote.

With regard to respect for the right of everyone to own property alone as well as in association with others, the Commission requested the Chairman to entrust an independent expert with the task of preparing a study within the existing resources of the United Nations, which should suggest ways and means to implement the right of everyone to own property alone as well as in association with others, bearing in mind the goals of attaining social justice and forstering the enjoyment of all human rights and fundamental freedoms; and on the means whereby, and the degree to which, respect for the right to own property contributed to the development of individual liberty and initiative, which served to foster, strengthen and enhance the exercise of other human rights and fundamental freedoms. It requested that a preliminary report be submitted to the Commission at its forty-eighth session and the final report at its forty-ninth session.

The Commission requested the independent expert, in preparing the study, to analyse the right to own property alone as well as in association with others in relation to the following types of property, taking into consideration the question of social justice and the ways to achieve it: personal property, including the residence of one's self and family; and economically productive property, including property associated with agriculture, commerce and industry. This resolution was adopted without a vote.

Effective Functioning of Human Rights Treaty Bodies

Concerning the effective functioning of bodies established pursuant to United Nations human rights instruments, the Commission endorsed the continuing efforts aimed at streamlining and otherwise improving the reporting procedures by the treaty bodies and the Secretary-General within their respective spheres of competence. It also endorsed the recommendation in the report of the meeting of chairmen of human rights treaty bodies to institutionalize the meetings of chairmen and requested the General Assembly to take appropriate action to enable these meetings to be held on an annual basis. It also stressed the continuing need for consultation and exchange of information between all treaty bodies, including the Committee on the Elimination of Discrimination against Women, and urged States parties to make every effort to meet their reporting obligations; and to contribute,

individually and through meetings of States parties, to identifying and implementing ways of further streamlining reporting procedures. It urged all States parties to meet without delay all their financial obligations pursuant to United Nations human rights instruments.

The Commission emphasized that any temporary financial assistance from the United Nations regular budget should be provided without prejudice to the duty of States parties to United Nations instruments on human rights to meet all their financial obligations pursuant to such instruments. It requested the Assembly to mandate the Secretary-General to take the appropriate steps in order to bring about the financing of the meetings of the treaty bodies from the regular budget of the United Nations and requested the Secretary-General to present a report to the next session of the Assembly on financial and other implications of providing full funding for the operation of all human rights treaty bodies. The Commission decided to consider this question on a priority basis at its next session. This resolution was adopted by consensus.

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United Nations

Press Release

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4 March 1991

HUMAN RIGHTS COMMISSION CONCLUDES DISCUSSION OF RELIGIOUS INTOLERANCE; REVIEWS PROGRAMME OF HUMAN RIGHTS ADVISORY SERVICES

GENEVA, 1 March (UN Information Service) -- The Commission on Human Rights this afternoon concluded its deliberations on the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, with statements from representatives of the International Indian Treaty Council and the World Union of Progressive Judaism.

The Commission also examined the question of advisory services in the field of human rights, hearing statements from representatives of Bangladesh, Australia, Austria, Soviet Union, Italy, Canada, Netherlands, Peru, Germany, the Organization of African Unity and Denmark.

Syria and Poland exercised rights of reply.

Statements on Religious Intolerance

K. PREJEAN, of the International Indian Treaty Council, said that, historically, churches had contributed to the process of genocide and oppression of indigenous peoples using the name of God as an instrument of colonization and a means of dividing people. That process had been implemented initially through evangelization, and then perpetrated through paternalistic actions which encouraged submission and dependence instead of aiding the process of the liberation of peoples. For nearly 500 years, indigenous people had suffered the onslaught of invasion, racism and genocide. The Christian churches had historically and faithfully served the invaders, conquerors and the colonizers. The churches had given biblical and theological legitimation to the pillaging and taking of indigenous peoples' lands and resources. They did not respect the traditional oppressions of spirituality and faith.

DAVID LITTMAN, of the World Union for Progressive Judaism, said that due to time constraints, his organization would submit, when possible, its statements in writing.

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Statements on Advisory Services

HARUN UR RASHID (Bangladesh) said the fact that the advisory services programme relied heavily on voluntary contributions shared the inherent weakness and vulnerability of the sources of the programme. Its main priority should be to improve national infrastructure in the field of human rights. The Centre for Human Rights was conscious of this need and its activities were directed towards meeting it. The programme of advisory services had been shown to be one of the most effective means of supporting national efforts for the promotion and observance of human rights. There was a continuing need for Governments to cooperate fully with the Centre.

BILL BARKER (Australia) said that requesting or providing assistance in the field of human rights did not reduce a Government's accountability for the human rights situation in its country. All States experienced human rights problems and all must strive to overcome them. The question of advisory services, and the potential of the advisory services programme as a means of promoting and protecting human rights, was simply too important for it to be used as a procedural convenience aimed at suggesting a lower level of international concern over the situations in some countries.

C. STRUHAL (Austria) said it was important to concentrate on institution-building measures which were most likely to contribute to long-term positive effects in the field of human rights. Assistance for setting up national institutions in the field should include, in particular, specific measure to contribute to an effective implementation of international standards at the national level. To that end, education programmes, especially for training of legislators, judges and law enforcement officials, would clearly have a role in the activities of those institutions.

SERGUEI KOSSENKO (Soviet Union), in a point of order on a procedural question, said that on 26 February his delegation had spoken in English to facilitate the work of the Information Service and prevent any errors. Had the Press Unit knowingly created a situation to justify the publication of a corrigendum with a sensationalist title? The Soviet delegation had been informed that a second corrigendum would be issued. However, in its place, the first erroneous corrigendum had been published this morning in French.

Mr. Kossenko observed that the consultative services of the Centre for Human Rights had grown and its actions had multiplied. The Soviet Union attached great importance to the reinforcement of national institutions aimed at training local officers. His country had intensified its cooperation with the Centre by organizing a seminar for Eastern Europe and a seminar on international norms, which had allowed fruitful exchanges between Eastern and Western Europe. The Soviet Union had also created in Moscow a centre for training and for information on human rights, and was in favour of an increasing of the allocation for human rights from the ordinary budget of the United Nations.

ADRIANO BENEDETTI (Italy) said the main focus of the Commission's attention had been laid in the last decade on the so-called "protection

approach". Starting in the mid-1980s, the need was felt to integrate the protection approach with a stronger emphasis on promotion and educational activities. The cooperative aspect of advisory services was also very important. Italy welcomed the efforts made by the Centre for Human Rights in elaborating guidelines for project formulation, implementation and reporting, and found itself in general agreement with the priority objectives being redefined for the technical assistance programme. Italy also supported the concept of a coordinated effort among United Nations agencies in the field of human rights and of a close cooperation not only between the Centre and the receiving countries, but also between the Centre and the donor countries.

JAMES TROTTIER (Canada) said one of the major concerns of Canada in the past had been the lack of coordination between various components of the United Nations system with regard to the provision of advisory services and technical assistance. The holding of a second inter-agency meeting last March had been a step in the right direction. The advisory services programme would benefit from greater participation in the process by non-governmental organizations. The Centre for Human Rights had attempted to ensure that non-governmental organization representatives were included as speakers and moderators in its regional and national training seminars. The provision of advisory services could not replace effective monitoring of human rights abuses, independent investigation of alleged abuses, and censure of Governments that violated human rights standards.

THEO R.G. VAN BANNING (Netherlands) said his country supported the efforts of the Centre on developing an action-oriented policy with regards to human rights. Such a policy should not limit itself to reacting when violations took place but should also emphasize the prevention of violations before they occurred. The Netherlands welcomed in that connection the emerging distinction between the activities financed under the regular budget and the projects undertaken through the Voluntary Fund.

HUBERT WIELAND (Peru) said all members of society should learn from a very early age what human rights were all about. The international community should work to that aim. The defence of human rights consisted of promotion and connection. Promotion required the adoption of legislation, and ensuring that the economic and social situation met the requirements of respect for human rights. Correction should be the exception; a greater role should be given to promotion. In that view the role of advisory services was very important.

GERHARD FULDA (Germany) said it was the duty of national Governments to create the legal and political means to guarantee to their peoples the fundamental rights and freedoms that were inherent in the dignity of the human person. It was legitimate that they requested assistance from the United Nations which, it was hoped, would always have adequate funds to respond to such requests. The growing number of requests and projects which had been realized in all parts of the world was to be welcomed. Many of those positive developments had become possible as a result of the Voluntary Fund for Advisory Services and Technical Assistance.

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U.O. UMOZURIKE, of the Organization of African Unity (OAU), said OAU had the duty to interpret its charter and to carry out any other responsibility given to it by the Assembly of Heads of State and Governments. The protective activities of OAU encompassed communications addressed to it, and breaches of the provisions of its charter by parties or by non-parties. So far there had been no communications from States parties, but there had been 110 communications from individuals, groups of individuals or from organizations, 21 of them against States members. Two such communications had been successfully concluded resulting in the release of persons detained. In Africa, human rights breaches could no longer be "swept under the carpet" as matters of domestic jurisdiction. The OAU had received much assistance from the Centre for Human Rights.

JAKOB ESPER LARSEN (Denmark) noted that it was the duty of the world community as a whole to provide resources to developing countries, particularly those where there was a manifested commitment and a political will to promote and protect human rights. At the same time there was a lack of adequate resources. The Nordic countries were convinced that the Voluntary Fund deserved increased resources to be able to meet the pressing needs. The Nordic countries intended to increase their contributions to the Fund in 1991 to the following amounts: Finland, 1.5 million Finnish marks, Norway, 1.5 million Norwegian kroner; Sweden, 3.0 million Swedish kroner, and Denmark, $300,000. The total of those contributions amounted to approximately $1.5 million.

Rights of Reply

M. IMADI (Syria) said allegations about Syrian Jews were part of a campaign carried out by Zionist organizations with the aim of distorting the image of Syria in the international community. Syria was a country of tolerance and coexistence for all its citizens, regardless of religion or race.

STANISLAW PRZYGODZKI (Poland) said he rejected allegations by the American Association of Jurists characterizing the Polish authorities and the Church as anti-semites. There had been some deplorable cases of anti-semitism, but these were not to be attributed to the authorities or the Church. Poles had died while attempting to save Jews during the occupation.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

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4 March 1991

FOREIGN MINISTER OF ANGOLA ADDRESSES HUMAN RIGHTS COMMISSION

Commission Continues Debate On Advisory Services in Human Rights

GENEVA, 4 March (UN Information Service) -- Pedro de Castro Van Dunem, Minister for Foreign Affairs of Angola, told the Commission on Human Rights this morning that peace was the main aspiration of the Angolan people. Only peace and the multi-party system being created in the country could ensure the full enjoyment of human rights, he said.

Entering the final week of its forty-seventh session, the Commission continued to review the United Nations programme of advisory services in the field of human rights.

Introducing his report on the implementation of the United Nations Plan of Action for the restoration of human rights in Equatorial Guinea, expert Fernando Volio Jimenez said the judicial system of that country was affected by poverty and that its insufficiency had led to corruption. There was a need for resources to train personnel for the different legal and judicial procedures. A human rights commission had been set up in Equatorial Guinea to explore allegations of rights' violations. Despite significant progress, however, there was still no institutional framework to protect human rights. There was insufficient political will on the part of the Government. New measures should be found to dynamize the relationship between the Government and the United Nations in the area of human rights protection.

The representatives of Belgium, Bulgaria, Egypt, Ireland, Guatemala and Switzerland took part in the debate. Also making statements were the representatives of the World Association for the School as an Instrument of Peace, the Minority Rights Group, the International League for the Rights and Liberation of Peoples, the World University Service, the Latin American Federation of Associations of Relatives of Disappeared Detainees, the International Federation of Human Rights and the International Movement for Fraternal Union among Races and Peoples.

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For information media—not an official record

Statement by Angola Foreign Minister

PEDRO DE CASTRO VAN DUNEM, Minister for Foreign Affairs of Angola, said that since the last session of the Commission and contrary to the expectations engendered by a new international climate, the world had seen an intensification of armed conflict entailing grave repercussions over the observance of rights and liberties. It was nevertheless undeniable that significant changes had taken place, especially in the third world.

In South Africa, he said, the recent announcement of the abolition of the "pillars" of apartheid did not mean the abolition of the system. For that reason, the international community must pursue and respect the sanctions imposed by the United Nations.

Angola, he continued, welcomed the liberation of Kuwait and hoped the resolution of the problem would contribute to a definitive solution to the situation in the Middle East, where the Palestinians continued to be denied their right of self-determination. Also, the Angolan Government would continue to work for a solution to the problem which was keeping the Saharan people from exercising its right of self-determination. His Government was also in favoured the reopening of negotiations between Indonesia and Portugal on the question of East Timor, the last Portuguese colony, he stated.

On the situation in Angola, he said peace was the main aspiration of the Angolan people. Only peace could open the way for the establishment of a democratic society. The multi-party system now being created would provide for the full enjoyment of human rights. However, that noble objective would not be reached if the war in the country continued. Despite the goodwill of the Angolan Government, the National Union for the Total Independence of Angola (UNITA) continued to practise sabotage and destabilization. The failure of a sixth round of negotiations which was set to take place in February was further proof that UNITA was not interested in ending the war.

The problem of war in the country was compounded by the drought of the last few years, he continued. The Government had appealed to the international community to prepare a special programme of humanitarian assistance for Angola. The programme had been suspended in view of the lack of safety guarantees from UNITA for aid convoys. None the less, certain Governments maintained that the Angolan Government should be blamed for the fate of the persons in the affected regions.

Statements in Debate

PAUL RIETJENS (Belgium) said a State had the obligation to take measures that were applicable in the field of human rights. The State should also know how to implement the international norms and other pertinent instruments concerning respect for human rights. All technical assistance in that case should be supplied to the States that needed it. Belgium attached great importance to the relationship between democracy and human rights and sustained economic development in the context of international cooperation. In order to construct a state of law, a development policy that could promote

the enjoyment of human rights should be worked out. In many States, a minimum of constitutional infrastracture was missing to guarantee and to respect the rights of the citizens. A state of law needed judiciary and police organs that could function satisfactorily. The work of the Centre for Human Rights, for its cooperation with regional institutions, was commendable. The human rights situation in countries asking for assistance under the advisory services programme should not automatically be considered as less satisfactory.

TODOR DITCHEV (Bulgaria) said the successful implementation of informational, advisory and technical programmes was a very tangible encouragement to the practical enjoyment of human rights. International cooperation in the human rights field was making headway, especially in recent months. The Centre for Human Rights had played an enhanced role in that respect. Cooperation and coordination between the various United Nations bodies had also been improved.

The Under-Secretary-General for Human Rights, he continued, had provided valuable assistance in organizing in Sofia, in January, an international conference on human rights and the constitutional and legislative development of Bulgaria. Also, Bulgaria welcomed the efforts of the Centre to further improve and enhance the programmes for fellowships and training. An analytical survey of the functioning of existing control mechanisms within the United Nations system would be of major assistance in enhancing the efficiency of said mechanisms and, subsequently, in bringing about more satisfactory implementation of the provisions of international instruments.

ALEYA ABOUL-EZZ (Egypt) paid tribute to the training seminars which had discussed the international system of protection of human rights, as well as the mechanisms and instruments at the national and international levels. Those seminars had also aimed at putting an end to systematic racial discrimination. Egypt commended the work of the Voluntary Fund for Advisory Services, which should receive increased support for its important role in the implementation of human rights mechanisms. Egypt also supported the information campaign aimed at disseminating the Universal Declaration of Human Rights.

He said the Preparatory Committee of the 1993 World Conference on Human Rights should explore ways to expand existing achievements in the system of advisory services in terms of enhanced international cooperation. The Centre for Human Rights should be strengthened through increased financial assistance.

COLM O'FLOINN (Ireland) said he noted with pleasure that the Secretary-General had stated that the resources of the Voluntary Fund would be allocated to finance activities aimed at institution-building in particular. Ireland regarded that statement of priority and guidelines for project formulation elaborated during 1990 by the Centre for Human Rights as a new departure for the Voluntary Fund. The Government of Ireland had decided to make a financial contribution to the Voluntary Fund before the end of this session. Ireland was ready to work with other delegations in a full

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examination of ways to strengthen advisory services during the preparatory phase of the 1993 World Conference on Human Rights and at the Conference itself.

FEDERICO URRUELA PRADO (Guatemala) said the Government had been providing advisory services to various institutions functioning in the field of human rights in Guatemala. Knowledge of human rights instruments was spreading; and cultural tolerance in Guatemala was beginning to widen. It was essential that relevant services should be expanded. Policy alone was not sufficient. There should be continued support of the judiciary, which required structuring along more modern lines, he continued. The Ministries of Interior and Justice should be supported to comply with the norms of a democratic State. Municipalities, which expressed the popular will at the local level urgently needed to be supported. They were overwhelmed in their activities and required greater assistance.

ADRIEN EVEQUOZ (Switzerland) said many States needed financial and technical assistance in order to create the necessary infrastructure for the implementation of the international standards of human rights. The Centre for Human Rights had taken a step forward in providing the programme despite its lack of sufficient staff. The coordination of the efforts which created increased respect for human rights depended on the financial resources of the Centre. The projects of technical cooperation financed by the Voluntary Fund could intensify regional cooperation and strengthen regional institutions.

MONIQUE PRINDEZIS, of the World Association for the School as an Instrument of Peace, said the Association had created a centre for human rights and peace training in 1984 to strengthen the human rights education of children. The programme of advisory services should provide funding and assistance to strengthen the International Centre and other non-governmental organizations (NGOs) in the training of human rights. The International Centre collaborated with the Centre for Human Rights and was available to all Governments and all those who wished to offer such facilities to their countries. In particular, the International Centre wished to expand activities in primary and secondary schools. The fund for voluntary contributions should fund NGOs of that nature.

ANNE-CHRISTINE BLOCH, of the Minority Rights Group, said the advisory services programme could play a vital pole in defining and creating new constructive policies, and in building up trust between minority and majority populations. The persistence of gross violation of human rights in Guatemala should not stop the project for the protection of indigenous communities in Guatemala as long as the parties involved agreed to implement the draft law on linguistic rights and land rights, elaborated by expert A. Willimsen Diaz.

States, she said, should provide information on the numbers and locations of minorities living in their territories with a description of their policies on the rights of minorities. Any effort to improve the protection of minorities should not be at the expense of damaging inter-community

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relations. The advisory services and technical assistance programmes could also provide the tools to achieve coherence and consistency in development projects.

ORETTA BANDETTINI DI POGGIO, of the International League for the Rights and Liberation of Peoples, said that sometimes a country's use of the services offered by the Human Rights Centre served the purpose of avoiding international scrutiny and having serious violations. In Guatemala, the civilian Government had been unable to control institutionalized repression. The civil regime had in fact increased the repressive structures of the army. The independent expert's report indicated a situation of little change: elections did not guarantee democracy when they were used to legitimize civil governments whose subordinate political will remain unmodified. The President of that country had appointed military officers who had committed human rights violations to positions of higher responsibility, an act which was far from the Government's aim of ridding itself from the spiral of impunity. The human rights situation had deteriorated since January 1988, the starting date for the implementation of advisory services.

RAUL MOLINA, of the World University Service, said the advisory services programme could only be a compliment to and not a substitute for respect of human rights. The human rights situation in Guatemala had arisen from the repressive policies of the Government. The army and the dominating groups continued their hegemony over the country and did not allow the implementation of the norms which could bring the enjoyment of human rights to the people. The Guatemalan army was mainly responsible for the gross violations of fundamental rights. The army was so powerful that the new Government could not fully exercise its authority.

MARIA ALEXIU, of the Latin American Federation of Associations of Relatives of Disappeared Detainees (FEDEFAM), said the programme of advisory services was impressive but still not sufficient. Advisory services were not a substitute for the monitoring of human rights situation. In Latin American seminars there had been little participation by peoples and NGOs, and few fellowships had been given to those who had experienced human rights violations. There should be priority assistance for the new Government in Haiti. Much of Haiti's population was abroad and a specific programme was needed to involve them. The rights of Guatemala's people were being violated daily. The political will of the army to permit the development of civilian society was lacking. The report of the independent expert on Guatemala did not include FEDEFAM's contributions. The FEDEFAM was frustrated with the Commission's decision to consider the situation in Guatemala under the item on advisory services. New visits by the Working Group on Disappearances and the Special Rapporteur on Summary Executions should be carried out.

ANTONIA REYES, of the International Federation of Human Rights, said the seminars and courses given to the personnel of the Guatemalan Ministry of the Interior had not prevented the torture and death of children. The advisory services had also been provided to the judiciary power; however, justice in Guatemala was not respected. In that country, impunity was guaranteed by those who exercised the real political power with the complicity of the

judiciary power. To examine the case of Guatemala under the item on violations of human rights in any part of the world would not constitute a priori condemnation. The Guatemalan army could interpret the examination of the situation under the question of advisory services as a green light to continue human rights violations. In that case, the violence would continue without being assessed fully by the United Nations.

C.M. EYA-NCHAMA, of the International Movement for Fraternal Union Among Races and Peoples, said the item on advisory services exclusively promoted the enjoyment of human rights. The Centre should assist NGOs. Could human rights be applied to all societies? The answer was "yes". There was no cultural element to human rights. Those who felt so sought to perpetuate feudalism and slavery. Constitutional laws could not contain limits or exceptions with respect to human rights. What occurred when that was the case could be seen in Equatorial Guinea, whose constitution permitted the President to remain unaccountable and allowed only one political party. The Parliament was dependent on the President. The President had dismissed and detained a proponent of the multi-party system. Critics of his dictatorship met similar fates.

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